Friday, August 2, 1957

LOK SABHA DEBATES

Second Series

Volume IV, 1957

(27th July to 8th August, 1957)

SECOND SESSION, 1957

(Vol. IV Contains Nos. 11 to 20)

LOK SABHA SECRETARIAT
NEW DELHI

CONTENTS

[*Second Series, Volume IV—27th July to 8th August, 1957*]

	Columns
No. 11—Saturday, 27th July, 1957.	
Business of the House	5471—73
Question of Privilege	[illegible]
Panel of Chairmen	5520
Demands for Grants—	5475—5642
Ministry of Health—	5475—5566
Ministry of Community Development	5567—5642
Daily Digest	5643-44
No. 12—Monday, 29th July, 1957.	
Oral Answers to Questions—	
Starred Questions Nos. 412 to 428 and 430 to 432	5645—82
Written Answers to Questions—	
Starred Questions Nos. 409 to 411, 429, 433 to 442, 444 and 445	5682—92
Unstarred Questions Nos. 301 to 316 and 318 to 339	5692—5711
Motion for adjournment—	
Rise in Jamuna level	5711-12
Papers laid on the Table—	5712-13
Committee on Absence of Members—First Report	5714
Calling Attention to Matter of Urgent Public Importance—	
Agreement between the Bombay Dock Workers and the Government	5714
Election to Committees—	
(1) Indian Central Arecanut Committee	5714-15
(2) Indian Lac Cess Committee	5715
Appropriation (Railways) No. 2 Bill—Introduced	5716
Industrial Finance Corporation (Amendment) Bill—Introduced	5716
Mines and Minerals (Regulation and Development) Bill—Introduced	5716-17
Inter-State Corporation Bill—Introduced	5717
Demands for Grants—	5717—5854
Ministry of Community Development	5717—5803
Ministry of Food and Agriculture	5803—54
Daily Digest	5855—60
No. 13—Tuesday, 30th July, 1957.	
Members sworn	5861
Oral Answers to Questions—	
Starred Questions Nos. 447, 449 to 451, 453, 455 to 460, 463 to 466, 468 to 471, 473 and 474	5861—97
Written Answers to Questions—	
Starred Questions Nos. 446, 448, 452, 454, 461, 462, 467, 472 and 475 to 485	5897—5907
Unstarred Questions Nos. 340 to 342 and 344 to 377	5907—28
Papers laid on the Table—	5928
Calling Attention to Matter of Urgent Public Importance—	
Fall in production of certain mills and the effects thereof	5929-30
Demands for Grants—	
Ministry of Food and Agriculture	5930—6094
Daily Digest	6095—98

	COLUMNS
No. 14—Wednesday, 31st July, 1957.	
Oral Answers to Questions—	
Starred Questions Nos. 486 to 488, 507, 489 to 492, 494 to 496, 499, 501 to 504, 506, 509 and 512 to 514	6099—6136
Short Notice Question No. 1	6136—38
Written Answers to Questions—	
Starred Questions Nos. 493, 497, 498, 500, 505, 508, 510, 515 and 518 to 529	6138—49
Unstarred Questions Nos. 378 to 393, 395 to 404 and 406 to 416.	6149—69
Motion for Adjournment—	
Strike of municipal workers and sweepers in New Delhi	6169—73
Paper laid on the Table	6173
Calling Attention to Matter of Urgent Public Importance—	
Collision of an engine with a goods train	6173—75
Leave of Absence	6175-76
Election to Committees—	
(1) Coffee Board	6176
(2) Rubber Board	*6177*
Demands for Grants—	
Ministry of Irrigation and Power	6177—6302
Daily Digest	6303—06
No. 15—Thursday, 1st August, 1957.	
Member sworn	6307
Oral Answers to Questions—	
Starred Questions Nos. 530, 532, 567, 533 to 543, 546, 547, 544, 545 and 548	6307—42
Written Answers to Questions—	
Starred Questions Nos. 549 to 565, 568 and 569	6342—53
Unstarred Questions Nos. 417 to 442	6353—69
Motions for Adjournment and Calling Attention to Matter of Urgent Public Improtance—	
Sweepers' strike in Delhi and Police firing	6370—93
Demands for Grants—	
Ministry of Irrigation and Power	6393—6510
Daily Digest	6511—14
No. 16—Friday, 2nd August, 1957.	
Oral Answers to Questions—	
Starred Questions Nos. 570 to 573 and 575 to 582.	6515—46
Written Answers to Questions—	
Starred Questions Nos. 574, 583 to 606.	6546—60
Unstarred Questions Nos. 443 to 467	6560—71
Papers laid on the Table	6571-72
Business Advisory Committee—Fifth Report	6572
Calling Attention to a Matter of Urgent Public Importance—	
Explosion of a railway wagon at Asansol	6572—74
Point of Information	6574—6655
Demands for Grants—	
Ministry of Law	6574—6610
Ministry of Transport and Communications	6610—55
Committee on Private Members' Bills and Resolutions—Third Report	6655
Resolution re Discontinuance of grant of scholarships to students on community basis	6656—6702

	Columns
Resolution re Appointment of a committee to examine the Regional Disparity Average *per capita* income	6702—16
Daily Digest	6717—20
No. 17—Saturday, 3rd August, 1957	
Motions for Adjournment—	
Sweepers' strike in Delhi and Police Firing	6721—23, 6863—6928
Calling attention to matter of Urgent Public Importance—	
Sweepers strike in Delhi and Police Firing	6723-24
Business of the House	6724
Correction of Answer to Starred Question No. 636	6724—25
Statement re appointment of a Commission of Enquiry re Emoluments and Conditions of Service of Central Government Employees	6725—26
Essential Services Maintenance Bill—	
Introduced	6726—48
Demands for Grants—	
Ministry of Transport and Communications	6748—6863
Paper laid on the Table	6851
Business Advisory Committee—	
Sixth Report	6863—65
Daily Digest	6929—30
No 18—Monday, 5th August, 1957	
Oral Answers to Questions—	
Starred Questions Nos 607 to 616, 619, 620, 622 to 626, 628 and 629	6931—69
Short Notice Question No. 2	6969—74
Written Answers to Questions—	
Starred Questions Nos. 617, 618, 621, 627, 630 to 635, 635-A, 636 to 649	6974—87
Unstarred Questions Nos 468 to 472, 474 to 479, 481 to 489, 491 and 492	6987—7002
Papers laid on the Table	7002—05
Business Advisory Committee—	
Fifth Report	7005
Essential Services Maintenance Bill—	
Motion to consider	7006—7182
Daily Digest	7183—86
No 19—Tuesday, 6th August, 1957	
Oral Answers to Questions—	
Starred Questions Nos. 650 to 653, 655 to 663, 665, 666, 668 and 669	7187—7222
Short Notice Question No. 5	7222
Written Answers to Questions —	
Starred Questions Nos. 654, 664, 667, 670 to 691, 693, 694, 694-A, 695 to 697 and 531	7222—38
Unstarred Questions Nos 493 to 500 and 502 to 525	7239—57
Short Notice Questions Nos 3 and 4	7857—58
Papers laid on the Table	7858—59
Business of the House	7259—62
Essential Services Maintenance Bill—	
Clauses 2 to 8 and 1	7260—7405
Motion to pass	7405—19
Demands for Grants—	
Ministry of Transport and Communications	7419—54
Daily Digest	7455—60

	Columns
No. 20—Thursday, 8th August, 1957	
Oral Answers to Questions—	
Starred Questions Nos. 698 to 702, 729, 704, 705 and 707 to 717	7461—93
Short Notice Question No. 6	7494—96
Written Answers to Questions—	
Starred Questions Nos. 703, 706,1718 to 728 and 730 to 739	7496—7509
Unstarred Questions Nos. 526 to 528, 530 to 560 and 562 to 569	7509—30
Statement *re* impending stoppages of work in certain essential services	7530—32
Papers laid on the Table	7533
Calling Attention to Matter of Urgent Public Importance—	
Re: termination of Services of Inspectors of Life Insurance Corporation	7534—35
Demands for Grants	7535—7686
Ministry of Transport and Communications	7535—7605
Ministry of Information and Broadcasting	7605—86
Statement *re:* withdrawal of proposed strike by P. & T. employees	7636—86
Daily Digest	7687—90

N.B.—The sign + above a name of a Member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA

Friday, 2nd August, 1957

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

विभिन्न धातु और सदोज्ज्वल इस्पात

*५७३. श्री म० ला० द्विवेदी : क्या इस्पात, खान और ईंधन मंत्री यह बताने की कृपा करेंगे कि :

(क) औद्योगिक संयंत्र और मशीन आदि के बनाने के लिए जिन विशेष मिश्रित धातु एवं सदोज्ज्वल इस्पात की आवश्यकता पड़ती है उसके निर्माण के लिये जो प्रारम्भिक प्रतिवेदन यूरोप के कई देशों द्वारा प्रस्तुत किये गये हैं क्या उन पर सरकार ने विचार किया है ;

(ख) यदि हां, तो इस सम्बन्ध में अब तक क्या प्रगति हुई है ;

(ग) इस संयंत्र की कितनी क्षमता होगी और उसके काम करने का ढंग क्या होगा ;

(घ) जैकोस्लोवाकिया, फ्रांस, इटली और ब्रिटेन में से किस देश की शर्तें भारत के सबसे अधिक अनुकूल हैं तथा सम्भाव्य भी हैं ;

(ङ) इस कार्य के लिये योजना में नियत की गई धनराशि में क्या कुछ कमी अथवा वृद्धि करने की आवश्यकता पड़ेगी ; और

(च) यदि हां, तो कितनी ?

इस्पात, खान और ईंधन मंत्री (सरदार स्वर्ण सिंह) : (क) से (घ) प्रतिवेदनों की प्रारम्भिक जांच पड़ताल कर ली गई है । संयंत्र की क्षमता तथा प्रयोग की जाने वाली धातु के सम्बन्ध में ब्रिटेन तथा फ्रान्स पहुंच इटली तथा जैकोस्लोवाकिया की पहुंच से भिन्न है । विस्तृत प्रोजेक्ट रिपोर्ट मंगाने से पहले, इसका सामान्य आधार देखने के लिए तकनीकी विवरण पर बातचीत कर लेनी आवश्यक होगी । प्रस्तुत प्रसंग में संयंत्र का मूल्य और कर्जे की शर्तें बहुत महत्वशाली हैं जिन पर बातचीत की जा रही है ।

(ङ) और (च) द्वितीय पंच वर्षीय योजना में विशेष तथा सदोज्ज्वल इस्पात प्लांट के लिए कोई विशेष धन राशि नियत नहीं की गई है । यह राष्ट्रीय औद्योगिक विकास निगम की विभिन्न प्रयोजनाओं में सम्मिलित है जिनके लिए ५५ करोड़ रुपये की बड़ी धनराशि प्रदान की गई है ।

Shri Kasliwal: The answer may be given in English also.

Mr. Speaker: Yes; in English.

Sardar Swaran Singh: (a) to (d). A preliminary examination has been made of the reports. The approach of the U.K. and France is somewhat different to the approach of Italy and Czechoslovakia, both in regard to the capacity of the plant and in regard to the raw materials to be used. Before detailed project reports are called, it would be necessary to discuss the technical details further to see that there is a common basis. In the present context the cost of the plant and the terms of credit are just as important. These are being discussed.

(e) and (f). No specific amount has been earmarked in the Second Five Year Plan for the special and alloy steel plant. It is included in the various schemes of the National Industrial Development Corporation for which there is a bulk provision of Rs. 55 crores.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि जिस वक्त ये प्लांट और मशीनरी आदि लग जायेंगे, तो इस में शुरू में कौन कौन सी चीजें उत्पादित होंगी और आगे चल कर कौन कौन सी चीजें उत्पादित होंगी ?

Sardar Swaran Singh: That will be known, Sir, after the detailed project reports have been obtained.

श्री म० ला० द्विवेदी : अभी सरकार ने कौन कौन सी चीजें उत्पादित करने का हिसाब लगाया है, जिससे मालूम हो कि इसकी दारेवा क्या है ?

Sardar Swaran Singh: This refers to the metals and alloys mentioned in part (a) of the question.

श्री म० ला० द्विवेदी : माननीय मंत्री ने अभी ५५ करोड़ रुपये देने का उल्लेख किया है। क्या इस में बिल्डिंग, मशीनरी इत्यादि हर एक चीज शामिल है, या कोई चीज अलग से भी लगेगी ?

Sardar Swaran Singh: I think the hon. Member has not correctly understood the import of the reply that I gave. All that I said was that there is a bulk provision of Rs. 55 crores which will be used to cover this as well as a number of other schemes.

Shri Dasappa: May I know, Sir, where they propose to manufacture these special metallic alloys and stainless steel?

Sardar Swaran Singh: That stage as to what should be the place where this plant, if it is decided upon, is to be located, has not yet arrived.

Shri Dasappa: Are there not proposals by certain concerns to manufacture these special alloys and stainless steel since facilities are there which are specially suited to manufacture these things?

Sardar Swaran Singh: If a more direct question is put, I might attempt a reply.

Shri T. N. Singh: May I know whether these projects deal only with alloys and steel or even with other non-ferrous alloys and, if so, having regard to the fact that they have got some factories here already working so far as the non-ferrous alloys are concerned, may I know whether this will include the non-ferrous alloys?

Sardar Swaran Singh: There may be some manufacturing capacity for other non-ferrous alloys also. In this question, no effort is being made to discuss in a general way all the non-ferrous and stainless steel alloys. This question relates to certain things which are mentioned in part (a) and my reply covers those alloys.

Dr. Ram Subhag Singh: What is the quantity of annual import of stainless steel and may I know whether the import of this material is sufficient for the present?

Sardar Swaran Singh: I know that the import is a necessity, but I could not give the exact figure. If a separate question is tabled, I shall collect the information.

***श्री म० ला० द्विवेदी :** मैं जानना चाहता हूं कि क्या सरकार ने इस कारखाने को स्थापित करने के सम्बन्ध में शुरू शुरू की जांच कर ली है और अगर करा ली है, तो कब तक इस के लग जाने की सम्भावना है ।

Sardar Swaran Singh: That was the opening sentence of my reply, when I said that a preliminary examination has been made.

Shri M. L. Dwivedi: What is the result of that examination?

Sardar Swaran Singh: The report of the result is contained in the next line of the reply. Unless the Member wants me to repeat that, I think the earlier reply covers the present question.

Coal Deposits

***571. Shri D. C. Sharma:** Will the Minister of Steel, Mines and Fuel be pleased to state the estimated quantity of coal deposits in India?

The Minister of Mines and Oil (Shri K. D. Malaviya): The total reserves of all qualities of coal according to the latest estimates of the Geological Survey of India all about 60,000 million tons, of which about 20,000 million tons are usable coal in seams of 4 feet and thicker to a depth of 1000 feet.

Shri D. C. Sharma: May I know if prospecting of coal is being done in

India; and whether full exploitation is made, and if so, in what places?

Shri K. D. Malaviya: What I understand from the hon Member is that he wants to know about prospecting that is going on in India as well as the exploitation Well, prospecting is generally done with a view to the assessment of coal and later on mining is done for the purpose of exploitation Prospecting is going on in several parts of the country where the Geological Survey of India gives us preliminary assessments as to the finds

Shri P C. Bose: What percentage of this coal reserve just stated is possible to be raised economically and with safety?

Shri K D Malaviya: Out of these 60,000 million tons, it is estimated that profitably perhaps 20,000 million tons could be exploited, but these figures can only be tentatively mentioned Perhaps it would be more

Shri Narasimhan. Are the Government considering the advisability of having similar figures for lignite or do they include it in the coal figures as well?

Shri K D. Malaviya: Lignite is not included in this, but the Coal Council is busy with a reassessment of the entire coal resources, and I presume that they will also have lignite in view

Shri V C Shukla: Are the Government aware that the Geological Survey of India have reported extensive coal deposits in the Sarguja district in Madhya Pradesh and may I know whether the Government are contemplating to exploit those deposits in near future?

Shri K D Malaviya: The Government of India are dependent entirely on preliminary information So far as the GSI is concerned, and so far as I remember, certain discovery of coal has been made in the Sarguja district I cannot at once say what is being done with regard to the prospecting, etc

Shri Jangde: May I know what quantity of coal is estimated to be worked out or taken out from the coal mines and what will be the percentage of coking coal, as compared to the total amount of coal?

Shri K. D. Malaviya: I require notice

Unauthorised Structures on Government Lands

*572 **Shri Radha Raman:** Will the Minister of Home Affairs be pleased to state

(a) whether any steps have been taken to remove the increasing number of unauthorised structures on Government lands lying open in different parts of the Capital,

(b) if so, what is their nature and the agency employed to stop these and demolish them,

(c) whether any such structures have been actually demolished during the past few months,

(d) if so, their number and place, and

(e) whether Government have issued clear instructions that this new step does not go against the previous assurances given on the floor of the House regarding unauthorised structures?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes

(b) A mobile police squad has been set up to prevent the construction of unauthorised structures and to demolish new unauthorised constructions.

(c) Yes

(d) 745 unauthorised structures have been demolished upto the 16th of July, 1957, in the following areas:

1	Delhi Gate	18
2	Inderprasth Estate	22
3	Delhi College Site	55
4	Malka Ganj	15
5	Timarpur	17
6	Hari Nagar Ashram	10
7	Asaf Ali Road	9
8	Circular Road	2
9	Ashoka Hotel Area	9
10	Vinay Nagar	122
11	Purana Qulla	11

12.	Panchkuyan Road	.. 2
13.	Ring Road (near Raj Ghat)	.. 6
14.	Faiz Road	.. 1
15.	Lodhi Road	.. 1
16.	Mata Sundri Road	.. 1
17.	Bhola Nagar	.. 300
18.	Hardinge Bridge	.. 143
		745

(e) Yes.

Mr. Speaker: It is a long list which does not interest anybody. Nobody can carry in his mind what is the number of unauthorised structures demolished in each particular mohalla. The hon. Minister may read one or two and say, the rest is contained in the statement.

Shri Radha Raman. May I know whether the Government has received several complaints from the residents of certain localities in which it has been pointed out that structures which existed for a number of years have been demolished and if so, what action the Government has taken in such cases?

Shri Datar: In all these cases, Government go very carefully into the merits of the allegations, and if it is found that they existed for a very long period, Government take that circumstance into account in providing alternative accommodation.

Shri Radha Raman: May I know whether such complaints, as I have just now mentioned, were examined and whether it was found that in certain cases, structures which existed for so many years had been demolished by this police squad with the authority given to it?

Shri Datar: They are taking necessary action in this respect.

Pandit D. N. Tiwary: Is the Government aware that an organisation of unauthorised structure-owners has been formed under the presidentship of an M.P. from Delhi, which is protesting against the demolition of such structures?

Shri Datar: We have not recognised any organisation of encroachers.

Shri Radha Raman: May I know whether the Government has actually examined this allegation that any such organisation has been formed?

Shri Datar: I am not aware whether there is any such organisation at all.

Air Force Officers

†

*573. { Shri Warior:
{ Shri Kunhan:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Air Force officers are entitled to draw petrol at concessional rates;

(b) if so, what is the total amount of petrol drawn at concessional rates by officers during the last three years; and

(c) whether this concession is applicable to officers in other services also?

The Deputy Minister of Defence (Sardar Majithia): (a) to (c). Personnel of the Defence Services as well as civilians paid from Defence Services Estimates and gazetted Civilian officers of the Ministries of Defence and Finance (Defence) and the Office of the Director of Audit, Defence Services, are allowed to draw petrol for their vehicles from Army Service Corps Petroleum Depots on payment at Payment Issue Rate. Separate figures of the quantity of petrol drawn by officers of each Service during the last three years are not available. The total quantity drawn by all permitted personnel during the last 3 years is however as follows:—

1954-55—44,679 gallons.
1955-56—1,54,614 gallons.
1956-57—2,38,190 gallons.

Shri Narayanankutty Menon: May I know whether this concession is given to draw petrol to be used by the officers concerned during their duty hours or even for their personal or private purposes?

Sardar Majithia: This petrol is given for their personal use.

Shri Hem Barua: Even for joy rides?

Mr. Speaker: He has said, personal use. It is to be used for joy rides also.

Shri Harish Chandra Mathur: What is the quota fixed for each officer and what is the rate of concession?

Sardar Majithia: So far as the quota is concerned, there is no quota fixed. They pay for it and get what is within their means.

Shri Warior: Des every officer pay?

Sardar Majithia: Every officer pays for whatever he draws; there is not a single exception. So far as the rate of concession is concened, it is definitely cheaper. For 1957, the price fixed was Rs. 2 44 nP. In June 1957, for the earlier part it was Rs. 2:42 nP, but later on due to the increased excise duty, it was raised to Rs. 2·75nP. In July, 1957.. ..

Mr. Speaker: Is it possible to say what is the percentage of concession?

Sardar Majithia: I am giving the figures of prices they pay.

Mr. Speaker: Hon. Members may not be able to comprehend or remember all that They only want to know what is the percentage of concession

Sardar Majithia: I will give them the basis. It is worked out on an all-India basis.. ...

Mr. Speaker: Hon. Members are interested to know what percentage of concession they get, whether it is ½, ¼ or ¾.

Sardar Majithia: It is not ½ or ¼. In May the price in Bombay, for instance was Rs. 2.62nP...

An Hon. Member: What the Delhi price?

Sardar Majithia: The Delhi price was Rs. 2.97 nP...

Mr. Speaker: I do not think the hon. Minister has helped the House to understand what the quantum of concession is.

The Minister of Defence (Shri Krishna Menon): The price at which it is sold to the public would be somewhere about Rs. 3.60 or Rs. 3.70 and the price at which it is sold to the Defence personnel is Rs. 2.86 or somewhere about that. That is the difference. That is only a matter of calculating percentage.

Mr. Speaker: What is the percentage?

Shri Krishna Menon: I will work it out for you.

Mr. Speaker: Hon. Members are only anxious to know what is the percentage.

The Minister of Mines and Oil (Shri K. D. Malaviya): It is a matter of calculation only.

Mr. Speaker: The amount that is arrived at must bear a relation to a base; there must be a base. On that base, this is the concession—50 per cent. or 15 per cent. Then it will be worked out. What is the base?

Shri Krishna Menon: It is not worked out on percentages. It is worked out like this. There are two classes of petrol for different officers. The concession rate is worked out on the basis of their not having to pay certain items which are to be paid when arriving at the market price. The market price is somewhere about Rs 3.3 6—whatever may be the naye pa sc—and the difference works out to somewhere about 12 per cent. or so.

Sardar Majithia: May I supplement the answer? The position is, whereas the price of civilian petrol varies from place to place, depending on how far it is taken away from the port, in the case of defence personnel, we have an average price for the whole of India. Therefore, I cannot give the exact percentage.

Dr. Ram Subhag Singh: What is the average price? We ought to know. What is the good of coming here in this way?

Shri Krishna Menon: I will read out the relevant portion. There are two rates of issue, the Free issue rate and the Payment issue rate. We are dealing with the payment issue rate. Free issue rate is the actual amount to the oil companies plus the amount charged to cover purchasing agencies'

charges This rate is taken for accounting purposes for issue of oil for Government purposes The payment issue rate where the, officer himself pays includes an amount to cover the sales tax paid and other overhead charges over the free issue rate These rates are fixed on an all-India basis and hence these may be more or less than the local market rate at a particular station depending on its geographical location in relation to the sea ports The underlying intention is to supply petrol to entitled personnel on a 'no profit no loss' basis

Dr Ram Subhag Singh: After all this explanation, the price is not known What is the price?

Mr Speaker: The hon Minister has given sufficient data Free issue price plus sales tax The average is also worked out Next question

Shri T. N Singh: May I ask one question, Sir?

Mr Speaker: I am not satisfied, No

Shri T N Singh: That was another question

Mr Speaker. Whatever it may be, I am thoroughly satisfied that the question has been answered in full I am not satisfied that there is any need for any more elucidation

Shri T N Singh: I was not concerned with the price

Mr. Speaker. Whatever the hon Member is concerned with, I am thoroughly satisfied that the question has been answered properly Next question

Advisory Committee for Income-tax Commissioners

*575 **Shri S C Samanta:** Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No 411 on the 3rd August, 1956 and state

(a) whether a small advisory committee of non-official advisers has since been attached to each Commissioner of Income-tax,

(b) if so, when and where, and

(c) whether any appreciable result has been achieved thereby?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) and (b). No, Sir On a careful consideration of the matter, Government came to the conclusion that no useful purpose would be served by the appointment of local advisory committees at the headquarters of each Commissioner of Income-tax

(c) Does not arise

Shri Punnoose: Would the Government explain the circumstances which led to that conclusion? Is it not really useful to have an advisory committee consisting of people who know the locality, who know the people who evade the tax?

The Minister of Finance (Shri T. T Krishnamachari): The responsibility for making the choice of the members of a committee of this nature, I think, outweighs all the advantages that you will get from the advice from a committee

Shri S. C Samanta. May I know whether any other alternative arrangement has been made to give advice to these Commissioners?

Shri T T Krishnamachari: So far, no

Shri Joachim Alva. Sometimes there are clear cases in Income-tax cases in the fact that 1948 cases have not yet been settled That is one set There is another set where a levy of Rs 50 lakhs is made When a person comes forward offering Rs 10 lakhs, Government gets nothing, or Government get Rs 5 lakhs How does the Government operate in the sense of conveying the grievances of the parties to the Income-tax authorities Has the Government considered the possibility of having a non-official committee by which these grievances can be put forward before the Income-tax authorities?

Shri T. T Krishnamachari: Section 54 of the Income-tax Act does not permit us to lay down all details in regard to assessees' matters before a committee of non-officials. I think the suggestion made by the hon. Member will fall within the purview of section 54 It is a matter that the

House will have to consider sometime whether the protective umbrella that section 54 gives should be continued or should be varied. These are matters which could properly be discussed when the Finance Bill is discussed. At the present moment, I do not think, until our ideas in regard to collection of income-tax and other taxes, methods to be employed and the amount of publicity given are all determined, we are in a position to go further with the suggestion that has been made by the Taxation Enquiry Commission.

Some Hon. Members rose.

Mr. Speaker: Next question. Hon. Members will have sufficient opportunity when discussing the demands of the Finance Department and also the Finance Bill.

Loans

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*576. **Shri Bibhuti Mishra:**
Shri M. R. Krishna:
Shri Heda:
Shrimati Tarkeshwari Sinha:
Pandit D. N. Tiwary:
Shri Raghunath Singh:
Shri Ram Krishan:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government propose to raise fresh loans;

(b) the targets fixed for raising new loans in 1957-58 and 1958-59;

(c) the steps Government propose to take to raise the required loans in these two years;

(d) whether there is a proposal to centralise public borrowing by Central and State Governments; and

(e) if so, the details thereof?

The Minister of Finance (Shri T. T. Krishnamachari): (a) I would invite attention of the Hon'ble Members to the Press Note issued on the 25th July, 1957 announcing the floatation of two new Loans by the Central Government.

(b) The target for the current year is Rs. 100 crores. That for 1958-59 can be determined only next year.

(c) Floatation of market loans is a normal feature and no special steps are proposed to be taken for this purpose.

(d) No Sir.

(e) Does not arise.

Some Hon. Members: He is answering another question.

Mr. Speaker: Parts (d) and (e) have been added. Are they not in the copies of the hon. Members?

श्री विभूति मिश्र : मैं जानना चाहता हूं कि १०० करोड़ रुपये का जो यह कर्जा सरकार ले रही है और जिसमें गावों के किसान लोग जो छोटी छोटी रकमें दे सकते हैं, क्या उन के लिए भी सरकार ने कोई इंतजाम किया है ?

Shri T. T. Krishnamachari: We concentrate in the villages so far as the National Savings scheme is concerned. No special attempt has been made excepting some publicity that would be given in the normal course to tap the village resources for the purpose of this Loan.

Pandit D. N. Tiwary: May I know whether it is a fact that the State Governments have been prevented from raising any loans and if so, what percentage of this will be given to the State Governments?

Shri T. T. Krishnamachari: The first portion of the question is not correct. No State Government has been prevented from raising any loan.

Shrimati Tarkeshwari Sinha: Is it not a fact that the Reserve Bank of India gave a directive or advice to the State Governments not to raise loans and if so, how this gap of Rs. 238 crores shown in the budgets of the State Governments is going to be met?

Shri T. T. Krishnamachari: It is likely, more than likely that the Reserve Bank advised the State Governments against going to the market for the reason that the results of the last loan floated by the State Governments would act adversely in regard to any further attempt this year by the State Governments. The gap is expected to be made up at least in part

by the new arrangement that the Central Government and the State Governments have arrived at in regard to sharing of the proceeds of National Savings Certificates

Shrimati Tarkeshwari Sinha: In the last Finance Ministers' conference at Bombay which the State Governments attended, it was rather discussed and decided that most of the State Governments should raise loans on Small Savings In view of the fact that for the last two years, Small Savings loans had shown steadily decreasing returns, how does the Government think that this scheme will increase the prospect of the loan?

Shri T. T. Krishnamachari: In a case like this, the past is not always a guide for the future

Dr. Ram Subhag Singh: What is the position in regard to Kerala because it has come out today saying that it is with the advice of the Central Government that they are not going to raise any loan this year?

Shri T. T. Krishnamachari: I expect the Kerala Government, like many other State Governments will put their shoulder to the task of raising loans under Small Savings schemes

Shri Kasliwal: The hon Minister said that the loans that are going to be floated will be of two different kinds May I know what considerations have led the Finance Minister to take this step?

Shri T. T. Krishnamachari: These are matters in which advice is tendered to me by experts, namely that there should be two loans which might have two different appeals for different sections, namely, a short term loan and a long term loan Naturally, the short term loan carries a lower rate of interest It is attractive to certain types of institutional investors who do not want to tie up their resources in long term loans That is the advice tendered to me by the experts and I accepted that advice

Shri Dasappa: May I know what amount has been raised through national small savings scheme last year, and how much they anticipate to raise during the current year?

Shri T T. Krishnamachari: I have not got the exact figures in regard to last year I am afraid sometimes it takes a little time for these figures to be compiled We do not get the March figures quite so soon. But so far as the Central Government's expectations as disclosed in the Budget are concerned, I think the hon Member knows it is Rs 80 crores Under the revised arrangement, our expectations will be elongated Maybe that might be able to collect another Rs 40 crores, but whether these expectations will be realised is a different matter altogether.

Shri Ranga: On what basis are the loan proceeds distributed as between the Union and the several State Governments? Is it on the basis of their plan?

Shri T T Krishnamachari Which loan?

Shri Ranga: Loan proceeds, small savings proceeds, for instance, which the Government of India wish to depend upon for much of their financial resources, apart from the tax proceeds On what basis do they propose to distribute this? Is it on the basis of the commitments made by the State Governments towards the Plan, in addition to their tax proceeds, or any other basis?

Shri T T. Krishnamachari. The division of the proceeds of the small savings scheme is not made on the basis of plan allotments Hitherto the basis has changed several times, but the one that is current now is that a State gets 25 per cent of what it has collected in the past, and 50 per cent of the excess over the past collections, the other 50 per cent going to the Central Government I have now revised for the current year the basis of allocation If a State Government does not go in for open market operations, then the Central Government takes 33 1/3 per cent and the State Government gets 66 2/3 per cent If the State Government goes

into the market for loans, then the State Government gets 33 1/3 per cent and the Central Government takes 66 2/3 per cent of the small savings proceeds There is yet another alternative If a State Government goes into the market for loans and is prepared to put the proceeds of the loan in the kitty for the basis of division, then the percentage of 66 2/3 to the State and 33 1/3 to the Centre of the aggregate amount would apply

Shrimati Tarkeshwari Sinha. In view of the fact that the Reserve Bank has also expressed its apprehension about the possibility of raising internal resources in the country for the Second Plan, do the Government consider that the Reserve Bank's advice about pruning of the Plan is justified, and if so, how far do Government propose to go in this matter?

Shri T T. Krishnamachari I am afraid the hon lady Member accuses the Reserve Bank of doing something which it is neither empowered to do nor is it willing to do All that the Reserve Bank has said to the State Governments, judging from the market position of the State loans and the experience they had in regard to last year's floatation, is that the State Government's loans may not have a very good appeal It might be different with different State Governments I know of one particular State Government whose loans have depreciated only slightly more than the Central Government's loans, may be just a very small fraction of a rupee There are other State Governments' loans which have lost three rupees Taking all these factors into account and taking the present state of the market for Government loans, the Reserve Bank advised these Governments that it is better for them to find other channels of raising money, particularly through the small savings schemes rather than through these loans It does not have any relation to the Plan, or have any relation to the cutting down of the Plan The Reserve Bank will not presume to advise the State Governments on a matter which is primarily the business of the Planning Commission.

Credit from Soviet Union

*577 **Shrimati Tarkeshwari Sinha:** Will the Minister of Steel, Mines and Fuel be pleased to state

(a) the specific purposes to which the credit of 500 million roubles from the Soviet Union is being utilised, and

(b) the actual amount of credit received and utilised?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The Russians have agreed to negotiate with the Government of India on the following 5 schemes, to be financed out of the 500 million roubles credit *in 1958—61* —

(i) Heavy Machine Building Works,

(ii) Mining Machinery Plant,

(iii) Power Station at Neyveli;

(iv) Optical Glass Factory, and

(v) Development of Korba Coalfields—Coal Mines, Quarry Coal Beneficiation Plant, Repairing Shops

(b) None

Shrimati Tarkeshwari Sinha. May I know whether all the project reports have been completed and the countries which have submitted these project reports?

Sardar Swaran Singh: The project reports are not yet complete

Shrimati Tarkeshwari Sinha: The hon Minister says the project reports are not yet complete May I know whether the Government is waiting for the coming Russian delegation to negotiate the matter finally, whether some British experts submitted a project report and Government did not accept that report, and whether the are waiting again for the Russian experts to give another project report?

Sardar Swaran Singh: I think the two things have to be distinguished. project reports and negotiations in regard to the credit provision If the two are kept apart, probably the hon.

lady Member will be able to put the question more clearly.

Mr Speaker: I am considering as to whether it is at all necessary hereafter to say "a lady Member". Are we saying a "male Member"? Do we say "the hon male Member"?

Sardar Swaran Singh: I will avoid that if the lady Member resents that

Shri S V. Ramaswami: May we know how this credit has been allotted among the various projects mentioned just now?

Sardar Swaran Singh: Much too early. It has still to be negotiated

Shrimati Tarkeshwari Sinha: In view of the fact that different project reports have been submitted giving different estimates, I asked this question why the British project report was not accepted finally because th r estimates were lower than those submitted by the Russian experts The hon Minister says there is hardly any basis for mixing up the two, but I wanted to know why, when different project reports have been submitted and different estimates have been given, the project report was rejected in the one case and accepted in the other? What was the underlying idea, what was the benefit that the Government is going to derive?

Sardar Swaran Singh: The hon Member from Bihar presumes too much, and then tries to frame questions on those presumptions. I am afraid I cannot accept the presumptions which underlie the subsequent questions put by the hon Member

Shri Narayanankutty Menon: In the report on the working of the Ministry concerned for last year it is mentioned that the Soviet Union has offered a loan of Rs. 60 crores for the construction of an oil refinery in India. It has also been said by the Ministry that the matter is under consideration May I know what has happened to the consideration, and whether anything has come out of that?

Sardar Swaran Singh: That is a separate question altogether. If a separate notice is given, we shall attempt to reply.

Shri Narayanankutty Menon: May I know whether that offer of Rs. 60 crores come under this 500 million roubles loan or is it separate?

Sardar Swaran Singh: That does not arise out of this.

Shri Jaipal Singh: Apart from Russia, which are the other countries that have given their project reports, or are due to give their project reports?

Sardar Swaran Singh: That is a question which has not yet been finally gone into

Shri Jaipal Singh: Do we understand that no country has been committed to give project reports? Has the Government not yet decided to ask for project reports?

Sardar Swaran Singh: Actually, so far as negotiations for the utilisation of certain credit facilities are concerned, that is a question apart from any separate project reports If the hon Members are interested in any particular project, then detailed information can be given with regard to the project report for that particu ar project, but this was a question on negotiations of credit facilities which have been offered, and these are the various projects that are being considered They are at various stages of investigation In some cases, preliminary project reports have been obtained, but nothing final has been decided either accepting or rejecting any project report

Shri Jaipal Singh: My question has been evaded I want to know the countries that have already submitted project reports That is what I asked I did not ask anything about credit, or what has happened to the credit.

Mr. Speaker: Are the loans linked up with the projects?

Shri Ranga: That was the earlier question, but that was not answered.

Sardar Swaran Singh: There is no attempt at evading any reply. What I would like to say is that these are five different projects. With regard

to the heavy machine building works, there have been project reports; preliminary talks have taken place with U.K. also But there is no such thing as a detailed project with regard to any of these five projects So, I have already given the information which is with me I do not know what other information hon Members want.

With regard to the mining machinery plant, for instance, no project report as such has been obtained yet So, the question of different countries does not arise

Indian Writers' Delegation to China

*578 **Shri Mahanty:** Will the Minister of Education and Scientific Research be pleased to state:

(a) whether a Delegation of Indian Writers was sent to China in 1956,

(b) if so, the total number of writers who were included in the Delegation, and

(c) the regional languages they represented?

The Minister of State in the Ministry of Education and Scientific Research (Dr K L Shrimali). (a) Yes, Sir

(b) Two, but only one was able to reach China

(c) The writers were not selected as representatives of regional languages

Shri Mahanty: May I know at whose invitation this delegation was sent, and also what criteria were applied by the Education Ministry in selecting the personnel of that delegation?

Shri Hem Barua: And what are the States represented?

Dr. K L Shrimali: We received the invitation from the First Secretary, Embassy of People's Republic of China, on behalf of All China Federation of Literary and Art Circles, Union of Chinese writers, Chinese People's Association for Cultural Relations with foreign countries, and Academi Sinica

The criteria which the Ministry had in view were to select two representative writers One was Shri Jainendra Kumar and the other was Shri Tara Shankar Banerjee The Sahitya Akadami was consulted in making the selection

Shri Mahanty: I understand from the reply that five organisations from China had invited Indian writers, and the Education Ministry selected only two May I know why in such delegations which are sponsored by the Education Ministry, the various regional strata of the Indian cultural life are not taken into account?

Dr. K L Shrimali: Government thought that on such an occasion only two people should go

Shri Mahanty: I would like to know why Government should have thought like that There must be some answer to that question The House must be satisfied My question is specific and straight I would like to know why in such delegations which are sponsored by the Education Ministry, only North India is represented, and why the regional strata are not taken into account Government must satisfy us on this point

Dr K L Shrimali: It is quite obvious The hon Member should understand that if we are sending only two people, naturally, all the regional languages could not be represented. And Government had to make a selection And the Sahitya Akadami which is a very representative body was consulted in this matter, and they decided that only these two persons should go

Shri B K. Gaikwad: May I know whether there were no suitable candidates from other parts of the country?

Mr Speaker: Can we send the whole of India to China?

Some Hon. Members rose

Mr Speaker: I am not going to allow these questions

After all, hon Members also have gone on some delegations. They must

know that there is a limit to the number of persons that we can send. With respect to cultural delegations, sometimes, they want 50 persons; sometimes they want 25; in a third case, they want 10, and in a fourth case, they want 2. Shall we go on sending more persons saying 'Notwithstanding the fact that you have invited only two, I shall send ten'? These are all the difficulties. Are we to go on adding to the list? The Minister has said that it largely depends upon the number. When only two had to be sent, we had to make a choice, and we have left it to the Sahitya Akadami. Are we to go into the question why only two were sent and are we to enter into a discussion as to why they fixed the number at only two, in spite of our efforts? It is not right for us to pursue this matter.

पीतल की दुअन्नियां

*५७६ { श्री भक्त दर्शन :
श्री विभूति मिश्र :

क्या वित्त मंत्री १६ मई, १९५७ के तारांकित प्रश्न संख्या ८६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान इस ओर आकृष्ट किया गया है कि अभी भी पीतल की दुअन्नियां स्वीकार न किये जाने के कारण आम जनता को बड़ी कठिनाइयों का सामना करना पड़ रहा है ;

(ख) क्या सरकार जानती है कि कई स्थानों पर खजाने भी उन्हें स्वीकार करने से इंकार कर रहे हैं ;

(ग) क्या सरकार का ध्यान इस तथ्य की ओर भी दिलाया गया है कि पीली दुअन्नियों के नकली सिक्के बहुत बड़े परिमाण में प्रचलित हो गये हैं ; और

(घ) यदि हां, तो इन कठिनाइयों को दूर करने के लिये क्या कार्यवाही की जा रही है ?

वित्त उपमंत्री (श्री ब० रा० भगत) : (क) सरकार को मालूम है कि देश के कुछ भागों में अब भी कुछ लोग पीतल की दुअन्नियां नहीं लेते ।

(ख) जी, नहीं ।

(ग) सरकार को मालूम है कि नकली दुअन्नियां भी चल रही हैं ।

(घ) सन् १९४९ से निकल-पीतल की दुअन्नियां धीरे धीरे चलन से वापस ली जा रही हैं । वापसी के इस काम में शीघ्रता लाने के सम्बन्ध में तत्परता से विचार किया जा रहा है । इस बीच जनता की जानकारी के लिये यह अधिसूचित कर दिया गया है कि निकल-पीतल की दुअन्नियां अब भी चलनसार हैं और उनके बदले सरकारी खजानों से और भारत के रिजर्व बैंक के दफ्तरों और अभिकरणों (एजेन्सियों) से दूसरे सिक्के या नोट लिये जा सकते हैं ।

Some Hon. Members: We want the answer in English also.

Shri B. R. Bhagat: (a) Government are aware that brass two-anna coins are still not accepted by some people in some parts of the country.

(b) No, Sir.

(c) Government are aware that there are base two-anna coins in circulation.

(d) A gradual process of withdrawal of nickel brass two-anna coins from circulation has been in operation since 1949. The speeding up of this withdrawal is being actively considered. Meanwhile it has been notified for the information of the public that the two-anna nickel brass coins, which are still legal tender, can be exchanged for other coins or notes at Government Treasuries and offices and agencies of the Reserve Bank of India.

श्री भक्त दर्शन : माननीय मंत्री जी के उत्तर से स्पष्ट है कि नकली दुअन्नियां काफी बड़ी मात्रा में बाजार में चल रही हैं । मैं जानना चाहता हूं कि उनकी रोक-थाम

के लिए कौन सी कार्यवाही की गई है और कितनी ऐसी टकसालों का पता लगाया गया है ?

श्री ब० रा० भवन : चूंकि यह एक ला एंड आर्डर का सवाल था, इसलिए इस सम्बन्ध में स्टेट गवर्नमेंट्स से लिखा-पढ़ी हुई और उन की कार्यवाही से बहुत जगहों में काफी लोगों को पकड़ा गया है और जो उचित कार्यवाही होती है, वह की गई है।

श्री भक्त दर्शन : क्या सरकार के ध्यान में ये बात आई है कि जिस तरह चिराग तले अन्धेरा होता है, उसी तरह केन्द्रीय सरकार के बिल्कुल नीचे स्वयं दिल्ली में पीली दुअन्नियों को स्वीकार नहीं किया जा रहा है, जिस के परिणामस्वरूप जनता को बड़ी दिक्कतों का सामना करना पड़ रहा है ?

श्री ब० रा० भवन : दिल्ली सरकार ने एक विज्ञप्ति निकाली है, जिस में बताया गया है कि पीली दुअन्निया चलनसार हैं और जिनकी दुअन्निया नहीं ली जाती हैं, मैं उन्हें स्टेट बैंक या रिजर्व बैंक के आफ़िसिज और एजेन्सीज में बदलवा सकते हैं।

श्री विभूति मिश्र : क्या मन्त्री जी ने कभी रेलवे, डाकखाने और सरकार के दूसरे दफ्तरों में जा कर देखा है कि पीली दुअन्नियां स्वीकार की जा रही हैं ?

श्री ब० रा० भवन : ये सारी सूचनायें मालूम की गई हैं।

डा० रा.म सुभग सिंह : भाग (ख) के उत्तर में बताया गया है—नहीं। मैं जानना चाहता हूं कि इस सम्बन्ध में किस ट्रेजरी का अनुभव है, जिसके आधार पर यह जवाब दिया गया है। क्या साधारण आदमी को ट्रेजर में जा कर पीली दुअन्नियां बदलवाने का अधिकार है ?

श्री ब० रा० भवन : आम तौर से एक दुअन्नी के लिये इतनी कठिनाई नहीं होती, लेकिन अगर कठिनाई हो, तो उस को रिजर्व बैंक की एजेन्सी से या स्टेट बैंक में बदलवाया जा सकता है।

Mr. Speaker: The Minister may issue a statement and try to relieve the difficulties by explaining the position to the general public.

Shri Radhelal Vyas: It is not accepted even in the Notice Office and in the Post Offices.

Shri M. L. Dwivedi: May I put one small question? This is a very important matter.

Mr. Speaker: Two-anna pieces are not very important.

The Minister of Finance (Shri T. T. Krishnamachari): We have already issued a press note sometime back, and I am perfectly prepared again to issue a press note on the lines indicated by the Chair.

Mr. Speaker: And, give due instructions also

Shri Sadhan Gupta: Even in the Delhi State Transport buses they are not accepted.

Mr. Speaker: Instructions may be issued saying that these must be accepted

Raja Mahendra Pratap: Some people are selling two-anna pieces for one anna It is a good business.

Mr. Speaker: I have not been able to provide any particular rule, so far as the hon. Member is concerned.

पंजाब में हिन्दी आन्दोलन

*५८० श्री विभूति मिश्र : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि पंजाब में हिन्दी भाषा के सम्बन्ध में अभी जो सत्याग्रह चल रहा है उसके बारे में कुछ शिष्टमण्डलों ने उनसे तथा शिक्षा मन्त्री से भेंट की है, और

(ख) यदि हां, तो सरकार ने इस सम्बन्ध में क्या कार्यवाही की है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) . (क) कुछ व्यक्ति गृह मंत्री तथा शिक्षा मंत्री से मिले हैं।

(ख) उनको पंजाब की भाषाओं की व्यवस्था के सम्बन्ध में प्रादेशिक फार्मूले की वास्तविकता समझाई गई और सलाह दी गई कि वे आन्दोलन समाप्त कर दें।

Some Hon. Members: We want the answer in English also.

Shri Datar: (a) Some individuals have met the Minister of Home Affairs and the Minister of Education.

(b) The correct implications of the regional formula in so far as it relates to arrangements regarding languages in Punjab were explained to them and they were advised to discontinue the movement.

श्री विभूति मिश्र . पंजाब का झगडा बहुत बढ गया है। हमारे गृह मन्त्री महोदय भी यहां बैठे हुए हैं। क्या वह इस झगडे का कोई एक सक्रिय निराकरण का उपाय उन लोगों को बता रहे हैं ?

गृह-कार्य मंत्री (पंडित गो० ब० पन्त) : हम सबको मिलकर कोशिश करनी चाहिए कि झगडा खत्म हो।

श्री विभूति मिश्र मैं जानना चाहता हूं कि क्या गृह मन्त्री जी उनको कोई कारगर बात बतायेंगे जिससे झगडा खत्म हो जाए ?

पंडित गो० ब० पन्त उनको बहुत कारगर बात बतलाई गई है कि जो रीजनल फार्मुला है और उसमें जो बात तय की गई है वह बहुत ध्यानपूर्वक तथा सब पहलुओं को सोच कर तय की गई है और उसे उन्हें भी मान लेना चाहिए और इस झगड़े को बढ़ाना नहीं चाहिये।

Shri Ajit Singh: May I know what is the type of satyagraha launched by the Hindi Raksha Samiti, whether it is peaceful or unlawful?

Pandit G. B. Pant: It is for the local Government to decide what is the exact character of the satyagraha.

Shri Ajit Singh: May I know whether it is a fact that some of the Ministers and the Secretaries were held up outside the Secretariat by the satyagrahis?

Pandit G. B. Pant: May be so.

श्री प्र० सि० बोलता क्या आनरेबल मिनिस्टर साहब को यह बात मालूम है कि हरियाना में इस हिन्दी के नाम से इस कद्र गन्दा प्रचार किया जा रहा है कि वहां फिरकावाराना फसादात फिर जल्दी शुरू हो जाने का खतरा है ? क्या आनरेबल मिनिस्टर साहब को यह भी मालूम है कि इस के तह में सभी वे कांग्रेसी मिनिस्टर हैं जिनको कि इस बार कांग्रेस मिनिस्टरी में नहीं लिया गया है तथा उनके अलबार, उनके बाप, उनके सुसर सभी हरियाना के इलाके में इतना जहरीला प्रचार कर रहे हैं कि फिरकावाराना फसादात शुरू होने का खतरा है ?

पंडित गो० ब० पन्त आपके जो ख्यालात हैं या आपको जो कुछ मालूम है वे वहां रहते हुए ज्यादा सही हो सकते हैं बिलमुकाबिल मेरे किसी बात को जानने के।

Shri Tyagi: I protest, Sir. I am a Minister who has not been taken in the Cabinet.

Shri Hem Barua: In view of the Sachar Formula which provides for every Punjabi, irrespective of caste, community and religious affiliation, learning Hindi, what is there for the Samiti, which has started the agitation, to save?

Pandit G. B. Pant: Perhaps they did not understand the implications of the Regional Formula.

Raja Mahendra Pratap: Is this not a caste struggle in Punjab?

An Hon. Member: It is a class struggle.

पंडित बृज नारायण "ब्रजेश" : पंजाब में जो यह झगड़ा चल रहा है, उसको क्या हमारी सरकार एक राउंड टेबल कांफ्रेंस बुलाकर सुलझा नहीं सकती या दोनों को एक साथ बिठाकर इसको तय नहीं कर सकती ? सरकार इस बात को जानती ही है कि वहां एक विषम स्थिति पैदा हो गई है और लड़ाई का इस तरह से चलते रहना ठीक नहीं होगा। दोनों को बुलाकर के, क्या सरकार उनमें समझौता करानें का प्रयत्न नहीं कर सकती या कर नहीं रही है ?

Mr. Speaker: It is a suggestion for action.

पंडित गो० ब० पन्त : सरकार को इस का बड़ा दुःख है पर सरकार चाहती है कि दोनों मिल जुल कर रहें और आपस में झगड़ा न करें ।

Raja Mahendra Pratap: My question is not answered. I asked, 'Is this not a class struggle in Punjab?'

Mr. Speaker: Next question.

Pandit G. B. Pant: Caste questions have to be considered outside the House.

Central Sales Tax Act

*581. **Shri Heda:** Will the Minister of Finance be pleased to state:

(a) the reasons for postponing further the date of enforcement of section 15 of the Central Sales Tax Act 1956; and

(b) the names of the States which desired further postponement.

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) Section 15 of the Central Sales Tax Act, 1956 was amended in May, 1957 session of the Parliament and it was necessary to bring the existing provisions of the various State Sales Tax Acts to accord with the amended Section, before it could be enforced. The date of enforcement of the said Section was, therefore, postponed to 1st October, 1957 in order to enable the State Governments to amend their sales tax laws, where necessary;

(b) Bombay, Orissa, Madras and Mysore.

Shri Heda: May I know what will happen in the contingency of all the State Governments not being able to amend their Acts by the 1st of October?

The Minister of Finance (Shri T. T. Krishnamachari): If that hypothetical contingency eventuates, we will have to take some action then to see whether we could not meet them more than half way.

Shri Heda: May I know what reasons the four States have given for further postponement?

Shri T. T. Krishnamachari: I suppose their legislative convenience does not permit their making the necessary amendments.

Shri Ranga: How is it that when our merchants go to the local officers, they are not given proper guidance as to how much is to be collected, what to pay and where to pay? There are so many complaints about forms not being made available. These were also sent to the Ministry. I am referring to Andhra Pradesh.

Shri T. T. Krishnamachari: So far as the Central Government is concerned, it has no jurisdiction over Andhra Pradesh. The Central Sales Tax, though it is called the Central Sales Tax, is collected by the State Governments and the beneficiaries are the State Governments. Therefore, the matter is entirely within the purview of the State Governments, and the Central Government cannot give any information in this regard. I know that certain States have taken up the matter with alacrity, particularly Bombay. They have printed all the forms necessary and every dealer has been registered and things are moving. But in some States, they are not moving quite so fast. All we can do when we get to know about it is to write to the State Governments asking them to act. We have no authority at all to compel action.

Sugar

*582. **Pandit D. N. Tiwary:** Will the Minister of Finance be pleased to state;

(a) whether the increase in the excise duty on sugar has brought the desired result of restricting consumption of sugar, and

(b) whether the export of sugar has increased?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) and (b) The enhanced rate of duty on sugar has been in force only over a period of 2½ months This is much too short to lead to any definite conclusion as regards the effect of this enhancement either on the volume or internal consumption or on exports. So far the increase in duty has had no marked effect on consumption

The figures quoted below of quantities of sugar exported each month from February 1957 to June 1957 would indicate that the trend of exports has been definitely upwards --

February 1957	2,50,000	cwts
March 1957	3,00,000	,,
April 1957	5,00,000	,,
May 1957	5,00,000	,,
June 1957	6,00,000	,,

Pandit D. N. Tiwary: May I know whether it is a fact that the price of sugar in foreign countries has gone down and, therefore, there is little chance of sugar being exported from India?

The Minister of Finance (Shri T. T. Krishnamachari): A question was asked of my colleague yesterday on this point I think he mentioned that the price of sugar in the world market has gone down to some extent But it must also be conceded that the price of sugar in India has gone up simultaneously

Pandit D. N. Tiwary: May I know whether the sugar tax per lb is 5 nP but the price of sugar has gone up by 2 annas per lb

Shri T. T. Krishnamachari: So far as the tax is concerned, that does not affect exports The entire amount of tax is refunded So the question of there being a higher tax does not in any way prevent exports But if local prices go up in addition to whatever is the tax amount, as it has been the case during the last two months, that margin is such as would perhaps more than cover the difference between what our expectations in this regard are of prices that will be quoted by the Indian merchants and the prices ruling elsewhere

Shri Tangamani: The hon Deputy Minister was pleased to state the quantity of sugar exported month by month from February 1957 May we also know the quantity of sugar consumed internally month by month since February 1957?

Shri T. T. Krishnamachari: We shall have to collect the information asked for from the proper Ministry If the hon Member puts down a question on consumption, the Minister of Food and Agriculture I think, would be able to answer

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WRITTEN ANSWERS TO QUESTIONS

Durgapur Steel Plant

*574. **Shri T. B. Vittal Rao:** Will the Minister of Steel, Mines and Fuel be pleased to state

(a) the number of engineers and technicians for the Durgapur Steel Plant who have been sent to United Kingdom for training in the Steel works,

(b) when the rest are likely to be sent, and

(c) the period of training in the United Kingdom?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) None so far, 75 engineers will be sent to the U K in 1957, of these, the first

28 will be put on training in the U.K next month;

(b) The rest of a total of 300 engineers to be trained in the U K under the Colombo Plan will be sent in 1958 and 1959,

(c) The initial period of training is 1 year which may be extended by mutual agreement

European Common Market Scheme

*583. **Shri Raghunath Singh:**
Shri N. C. Kasliwal:
Shrimati Tarkeshwari Sinha:

Will the Minister of Finance be pleased to state the attitude of India regarding the European Common Market Scheme?

The Minister of Finance (Shri T. T. Krishnamachari): The formation of common markets has been tentatively accepted in principle by the contracting parties to GATT Whether the provisions of the Treaty establishing the European Common Market are consistent with the specific provisions laid down by the GATT is a matter for further examination The Treaty is to come up for consideration in the GATT at its session beginning in October It is only after consideration of the Treaty in the GATT that the exact scope of the European Common Market Scheme and its conformity with the principles of the GATT would be clear It is too early, therefore, for the Government of India to have any definite attitude towards the European Common Market Scheme

'Bharat Darshan Yatra'

*584. **Shri Assar:** Will the Minister of Education and Scientific Research be pleased to state.

(a) whether it is a fact that the Government are giving concessions or arranging tour programmes such as Bharat Darshan Yatra for students,

(b) if so, whether Government propose to give such concessions to primary school teachers as well, and

(c) if so, when?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): (a) Yes, Sir; under the youth welfare programme, grants are given for educational tours to the students of recognised Colleges and High Schools

(b) No such proposal is under consideration

(c) Does not arise

India's Sterling Assets

*585. **Dr. Ram Subhag Singh:** Will the Minister of Finance be pleased to state

(a) whether the agreement with the U K requiring India to maintain a £300 million currency reserve in sterling assets has expired, and

(b) what is the present position of India's sterling assets in that reserve?

The Minister of Finance (Shri T. T. Krishnamachari): (a) The Indo-U K Financial Agreement dated 20-7-1953, under which the Government of India agreed not to draw upon the sum of £310 million held as a currency reserve, without previous consultation with the U K Government, expired on the 30th June, 1957

(b) On the 26th July, 1957, the foreign securities in the currency reserve held in the Issue Department of the Reserve Bank of India amounted to Rs 400 52 crores

Marine Steel Industry

*586. **Shri Shankariah:**
Shri Naushir Bharucha:
Shri Shivananjappa:

Will the Minister of Steel, Mines and Fuel be pleased to state.

(a) whether Government are aware that high grade iron ore is found at Sandur, Bellary District, Mysore State;

(b) the analysis of such deposits and the quality of ore;

(c) whether it is a fact that the iron ore found is best suited for the Marine Steel Industry;

(d) whether Government of India or the Mysore State propose to start a Marine Steel Factory in this area, and

(e) if so, at what cost and when it is likely to be started?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) to (e) A statement giving the available information is laid on the Table of Lok Sabha [*See* Appendix II, annexure No 59]

India's Flora and Fauna

*587. **Shri V. P. Nayar:** Will the Minister of **Education and Scientific Research** be pleased to state

(a) when the Government propose to publish a complete account of India's flora and fauna, and

(b) the action being taken in this regard?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): (a) There is no such proposal under consideration of Government at present

(b) Surveys of Indian flora and fauna are being carried out by the Botanical Survey of India and the Zoological Survey of India respectively The reports of the Surveys are published by the organisations concerned

Foreign Sweepstakes and Lotteries

*588. **Shri Wodeyar:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No 84 on the 16th May, 1957, regarding the prize competitions operated by foreign bodies and state whether information has since been collected?

The Minister of State in the Ministry of Home Affairs (Shri Datar): Yes, the requisite information which is 'Nil' has been laid on the Table of Lok Sabha. [*See* Appendix II, annexure No. 60]

Mineral Production

*589. **Shri Bishwanath Roy:** Will the Minister of **Steel, Mines and Fuel** be pleased to state whether the percentage of increase in mineral production during the last two years of the First Five Year Plan has continued in the first year of the Second Plan also?

The Minister of Mines and Oil (Shri K. D. Malaviya): Yes, Sir The value of mineral production in India increased by about 3 per cent in 1955 compared with 1954 and by about 10 per cent in 1956 compared with 1955

Centre for I.A.S. Examination

*590. **Shri Damani:** Will the Minister of **Home Affairs** be pleased to state

(a) whether Government are aware that there are large number of eligible Indian students studying in U S A and Canada who can appear at I A S or other All India Services examinations conducted by the U P S C, and

(b) whether Government will fix New York or Washington as one of the centres—similar to London, for holding such examinations?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b) A proposal to open a centre for I A S etc, Examination in Washington for the benefit of Indian students was considered and ultimately dropped as the Indian Embassy in Washington on enquiry found that the maximum number of candidates who were likely to take advantage of it would not exceed 15

विदेशी नौ-सेना कर्मचारी

*५९१. **श्री हरिश्चन्द्र झा** क्या प्रतिरक्षा मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि नीलगिरी के निकट वैलिंगटन में इथोपिया, इंडोनेशिया

मिस्र आदि पड़ोसी देशों के नौसैनिक कर्मचारियों को वी-सैनिक प्रशिक्षण दिया जा रहा है,

(ख) यदि हां, तो क्या यह उन देशों की प्रार्थना पर किया जा रहा है, और

(ग) क्या यहां उनके प्रशिक्षण के लिये अलग व्यवस्था की जाती है या उन्हें अन्य प्रशिक्षार्थियों के साथ साथ प्रशिक्षण दिया जाता है ?

प्रतिरक्षा उपमंत्री (सरदार मजीठिया) : (क) जी हां, बर्मा, मिस्र और इंडोनेशिया से।

(ख) जी हां।

(ग) यह प्रशिक्षण उन्हें दूसरे प्रशिक्षार्थियों के साथ साथ दिया जाता है।

Team on the working of Community Projects

**Shri Tangamani:
Shri Sanagnna:
Shri N. R. Muniswamy:**

Will the Minister of Finance be pleased to state:

(a) the number of Community Projects and National Extension Service Blocks visited by the team on community projects and national extension service blocks;

(b) whether the team has submitted any report; and

(c) if so, what are their main recommendations?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) 46

(b) The Team is still conducting its studies It is likely to report sometime in October, 1957.

(c) Does not arise.

सघ राज्य-क्षेत्रों में माध्यमिक शिक्षा

*५९३. **श्री नरदेव स्नातक :
श्री रा० स० तिवारी :**

क्या शिक्षा और वैज्ञानिक गवेषणा मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि उन सघ राज्य-क्षेत्रों में जहां पहले माध्यमिक शिक्षा निःशुल्क दी जाती थी वहां अब भी वह निःशुल्क दी जाती रहेगी,

(ख) सघ राज्य-क्षेत्रों का यह सुविधा कब तक दी जाती रहेगी; और

(ग) सघ राज्य-क्षेत्रों की पिछड़ी हुई दशा दूर करने के लिये अन्य क्या कार्यवाही करने का सरकार का विचार है ?

शिक्षा तथा वैज्ञानिक गवेषणा मंत्रालय में राज्य-मंत्री (डा० का० ला० श्रीमाली) : (क) साधारणतया किसी भी केन्द्र प्रशासित क्षेत्र में माध्यमिक शिक्षा निशुल्क नहीं है।

(ख) प्रश्न ही नहीं उठता।

(ग) सभी केन्द्र प्रशासित क्षेत्रों को शिक्षा में पिछड़ा हुआ नहीं माना जा सकता। इसके अतिरिक्त दूसरी पंचवर्षीय आयोजना में सब स्तरों पर शिक्षा सम्बन्धी सुविधायें विशेष रूप से बढ़ा देने की व्यवस्था की गई है।

Bauxite Deposits in Kolhapur District

*594. **Shri Mahagaonkar:** Will the Minister of Education and Scientific Research be pleased to state:

(a) whether it is a fact that large deposits of bauxite are available at several places in Kolhapur District;

(b) whether it is also a fact that highest percentage of Aluminium can be found there;

(c) whether Government propose to utilise these deposits of bauxite; and

(d) if so, what action is proposed to be taken in the matter?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): (a) Yes, Sir

(b) No, Sir

(c) and (d) The matter is under consideration

Wagon Allotments to Collieries

*595. **Shri Matin:** Will the Minister of Steel, Mines and Fuel be pleased to state

(a) whether it is a fact that priority for wagon allotments is still being given by the Railways to Government collieries in spite of repeated assurances of non-discrimination,

(b) whether it is also a fact that there is discrimination in the matter of railway siding extensions as between the private and public sector; and

(c) if so, whether Government are prepared to make suitable allocations of the available labour and materials to both the private and State-owned collieries in need of further rail transport facilities?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The State Railway collieries were opened principally for supplying coal to the Railways As loco coal has the highest priority, it is possible that the State collieries are being allocated a higher proportion of the wagons they indent for The wagons supply depends on the priority grading of a particular class of supply

(b) There is no discrimination in the matter of railway siding extensions

(c) Does not arise

Indian School of Mining and Applied Geology

*596. **Shri R. S. Lal:** Will the Minister of Steel, Mines and Fuel be pleased to state

(a) whether it has been decided to obtain the services of foreign experts in the Indian School of Mining and Applied Geology, and

(b) if so, the number of such experts subject-wise, and their pay, if it is to be paid by the School?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b) A statement giving information is laid on the Table of Lok Sabha [*See* Appendix II, annexure No 61]

Sarva Seva Sangh

*597 {**Shri Sanganna:**
Shri B. C. Mullick.

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No 601 on the 29th May, 1957 in respect of the Sarva Seva Sangh and state

(a) whether all the schemes have been approved

(b) whether any expenditure has been sanctioned in this connection,

(c) if so, the amount involved,

(d) whether there is any difference in the method and nature of work done by the Community Development and the National Extension Service Blocks and those of the Sarva Seva Sangh,

(e) if so, the nature thereof, and

(f) if not whether there is any proposal for merger of their work with that of Sarva Seva Sangh?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b) Yes, Sir

(c) As against an estimated cost of Rs 94 15 lakhs of the schemes received from Sarva Seva Sangh for the development of about 1 000 gramdan villages in Orissa, the Government of India have agreed to give through the State Government a grant of Rs 68 lakhs during the 2nd Plan period A sum of Rs 11 92 lakhs was sanctioned during 1956-57 towards these schemes and a sum of Rs 10 lakhs has been sanctioned so far during the current year

(d) to (f). Detailed information on these points has been sought from the State Government and will be laid on the Table of the House by the Ministry of Community Development as soon as received.

अनिवार्य तथा निःशुल्क शिक्षा

*५६८. श्री श्रीनारायण दास :
श्री न० रा० मुनिस्वामी :
डा० राम सुभग सिंह :
श्री रत्न शंकर लाल :
श्री हरिश्चन्द्र शर्मा :
श्री वाजपेयी :

क्या शिक्षा और वैज्ञानिक गवेषणा मंत्री सभा-पटल पर एक विवरण रखने की कृपा करेंगे जिसमें यह बताया गया हो कि

(क) संविधान के अनुच्छेद ४५ में दिये गये निर्देश के अनुसरण में १४ वर्ष तक की आयु के सभी बच्चों को निःशुल्क और अनिवार्य शिक्षा देने के सम्बन्ध में क्या प्रगति हुई है;

(ख) क्या योजना आयोग का शिक्षा सम्बन्धी तालिका के सदस्यों ने संविधान के निर्देश को कार्यान्वित करने के बारे में कुछ सिफारिशें की हैं,

(ग) यदि हां तो सरकार की इस विषय में क्या कार्यवाही की है या करने का विचार है;

(घ) क्या उन सिफारिशों को कार्यान्वित करने के लिये केन्द्रीय सरकार को कुछ वित्तीय भार ग्रहण करना होगा, और

(ङ) यदि हां, तो कितना और किस रूप में ?

शिक्षा तथा वैज्ञानिक गवेषणा मंत्रालय में राज्य-मंत्री (डा० का० ला० श्रीमाली) : (क) से (ङ). एक विवरण सभा पटल पर रख दिया गया है । [देखिये परिशिष्ट २, अनुबन्ध संख्या ६१]

Retirement Age Limit

*599. **Shri Sinhasan Singh:**
Shri S. M. Banerjee:
Shri Mohan Swarup:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the State Government of U.P consulted the Union Government before raising the age of retirement from 55 to 58 years; and

(b) whether the Union Government have taken or propose to take any such decision of raising the age of superannuation?

The Minister of Home Affairs (Pandit G. B. Pant): (a) No.

(b) No decision has been taken, and there is no such proposal before Government. It is the policy of Government, however, to grant extensions liberally to engineering and technical personnel. On account of the large demand for such persons it has been suggested that their case should be examined in this respect.

All-India Council for Elementary Education

*600 **Shri D. C. Sharma:**
Shri Heda:
Shri N. R. Munisamy:
Shri Bibhuti Mishra:

Will the Minister of **Education and Scientific Research** be pleased to state:

(a) the number of meetings of the All-India Council for Elementary Education that have been held so far, and

(b) the nature of the decisions taken by the Council?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali) (a) The Council has not held any meeting so far.

(b) Does not arise.

"विश्व भारती"

*६०१ श्री भक्त दर्शन : क्या शिक्षा तथा वैज्ञानिक गवेषणा मंत्री २१ मई, १९५७ के तारांकित प्रश्न संख्या १९८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने "विश्व भारती" के प्रकाशन सम्बन्धी प्रस्थापना पर तब से कोई विचार किया है; और

(ख) यदि हां, तो उस पर क्या कार्यवाही की गयी है ?

शिक्षा तथा वैज्ञानिक गवेषणा मंत्रालय में राज्य-मंत्री (डा० का० ला० श्रीमाली) (क) जी, हां ।

(ख) फिलहाल सरकार ने मेसर्ज हिन्दी 'विश्व भारती' लखनऊ से विश्वभारती का प्रथम खंड प्रकाशित कराने का निश्चय किया है । सरकार ने इसके प्रकाशन पर होने वाली अनुमानित हानि का ५० प्रतिशत वहन करना मंजूर कर लिया है ।

Increase in the Price of Coal

*602. **Shrimati Tarkeshwari Sinha:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government have increased or propose to increase the price of coal;

(b) if so, the reasons therefor; and

(c) whether Government have studied the incidence of this price increase on the general cost of industrial production?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes The prices were increased with effect from July 9, 1957.

(b) and (c) The enhancement in price has been made on an ad hoc basis to enable the industry to meet the increased wage bill of the workers consequent upon the grant of additional concessions to labour by the Labour Appellate Tribunal. In the meantime, a Price Revision Committee has been set up by the Government to enquire into the entire price structure of coal—including the impact of the Appellate Tribunal's award. It will also examine the incidence of coal prices on the economy of the country and on industry generally.

"विमान वाहक पोत"

*६०३. श्री हरिश्चन्द्र शर्मा : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने भारतीय नौ-सेना के लिये ब्रिटेन से एक विमान वाहक जहाज खरीदा है; और

(ख) यदि हां, तो किस कीमत पर ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) : (क) जी हां ।

(ख) इस जहाज का आधुनिक-करण और परिवर्तन हो रहा है और इसका इस समय मूल्य प्रकट करना जनहित में नहीं है ।

State Homes and District Shelters

*604. **Dr. Ram Subhag Singh:**
Shri Sanganna:

Will the Minister of Home Affairs be pleased to state

(a) whether Government have prepared any scheme for setting up State Homes and District Shelters in the country,

(b) if so, the number of such homes and shelters to be set up each year under this scheme; and

(c) the cost involved in implementing this scheme?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) 80 State Homes and 324 District Shelters/Reception Centres during the entire period of the Second Five Year Plan (1956-61).

(c) Rs. 10 5 crores.

Coal-bearing Areas

*605. **Shri Matin:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the amount earmarked State-wise under the Second Five Year Plan for prospecting virgin coal-bearing areas after acquisition under section 9 of the Coal Bearing Areas (Acquisition and Development) Act;

(b) the amount earmarked State-wise under the Second Five Year Plan for prospecting virgin coal-bearing areas prior to acquisition under section 4 of the Coal Bearing Areas (Acquisition and Development) Act, and

(c) the contribution, if any, made by the Geological Survey of India?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b) A provision of Rs 40 crores exists for the Coal Development Programme during the Second Plan period No amount has been specifically earmarked State-wise for prospecting either prior to or after acquisition under the Act

(c) Exploration for coal by drilling in the Karanpura field was done by the Geological Survey of India As a result of their drilling, large additional reserves of coal have been proved

Technical Assistance from Finland

*606. **Shrimati Tarkeshwari Sinha:**
Shrimati Ila Palchoudhuri:

Will the Minister of **Finance** be pleased to state·

(a) whether any agreement has been reached between Finland and India for providing technical assistance by the former to the latter, and

(b) if so, the number of experts that will be coming to India from Finland in the near future?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) Yes, Sir.

(b) Two

Central Scholarships to U.P. Students

443. **Shri Vajpayee:** Will the Minister of **Education and Scientific Research** be pleased to state·

(a) the number of students in Uttar Pradesh who were given scholarships in 1956-57 under the various schemes of the Central Government, and

(b) the number of Scheduled Caste, Scheduled Tribe and Other Backard Class students among them?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali) (a) One for studies abroad

7,453 for studies in India

(b) None for studies abroad

7 150 for studies in India

मन्त्रियों की विदेश यात्राओं पर व्यय

४४४ **श्री खुशवक्त राय** क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि

(क) भारत सरकार ने गत तीन वित्तीय वर्षों में केन्द्रीय मन्त्रिमंडल के मन्त्रियों की विदेश यात्राओं पर जो विदेशी सरकारों के आमंत्रण पर विदेश भ्रमण के लिये गये, प्रति वर्ष कितना व्यय किया, और

(ख) सरकार ने गत तीन वित्तीय वर्षों में विदेश जाने वाले केन्द्रीय मन्त्रिमंडल के मन्त्रियों पर कितना व्यय किया ?

गृह-कार्य मन्त्री (पंडित गो० ब० पन्त) : (क) तथा (ख) सूचना एकत्र की जा रही

है और जितना जल्दी सम्भव होगा वह सभा-पटल पर रख दिया जाएगा ।

Life Insurance Corporation

445. Shri P. G. Deb: Will the Minister of Finance be pleased to state

(a) the total number of life insurance policy holders in the country who had their policies paid up when the life insurance business was nationalised, and

(b) the number of Government employees, both at the Centre and States, who had their policies paid up after the above business was nationalised?

The Minister of Finance (Shri T. T. Krishnamachari): (a) and (b) The information is being collected and will be laid on the Table of Lok Sabha when it becomes available

Development of Laccadive Islands

446. Shri Nalliakoya: Will the Minister of Home Affairs be pleased to state

(a) whether the Second Five Year Plan for the Laccadive, Minicoy and Amindivi Islands has been prepared,

(b) if so, the details thereof and the action taken by Government for the implementation of the same, and

(c) the steps taken by Government to open Post Offices and to provide other facilities of communications in the Islands?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The Second Five Year Plan of Laccadive, Minicoy & Amindivi Islands has not yet been prepared The proposals of the Administrator in regard to the Plan have, however, been received and are at present under consideration of the Government

(b) Does not arise

(c) It is proposed to open extra-departmental Post Offices in all the major islands as there is at present no scope for regular Post Offices It is also proposed to establish Wireless Stations in all the major islands which could be used for transmitting public telegrams as well

High Power Coal Council

447. Shri D. C. Sharma: Will the Minister of Steel, Mines and Fuel be pleased to state the number of meetings held during the months of May, June and July, 1957, and the important decisions taken by the High Power Coal Council?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): No meeting of the Coal Council was held during May, June and July 1957. The Council has, however, appointed four Committees on—

1 assessment of resources,
2 requirements and utilisation,
3 production and preparation; and
4 transportation

These Committees are meeting and collecting data on their respective subjects The report of the second Committee is expected very shortly

Zonal Councils

448. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state how many meetings of the different Zonal Councils have been held so far?

The Minister of State in the Ministry of Home Affairs (Shri Datar): The Zonal Councils for the Northern, Eastern, Central and Southern Zones have met once The Western Zonal Council is expected to meet in the near future

Ex-Servicemen's Post-War Reconstruction Fund

449. Shri D. C. Sharma: Will the Minister of Defence be pleased to state:

(a) the amount initially given to the erstwhile States of PEPSU from

the Ex-Servicemen's Post-War Reconstruction Fund;

(b) the amount that has been spent by the late Government of PEPSU out of the Ex-Servicemen's Post-War Reconstruction Fund; and

(c) the number of Ex-servicemen allotted land in erstwhile PEPSU State and the acreage of the land so allotted?

The Deputy Minister of Defence (Sardar Majithia): (a) A sum of Rs. 35,42,459 was allotted to the State of Pepsu from the Post-War Reconstruction Fund The amount was not, however, released to the State but pooled into the Central Post-War Resettlement Fund. Grants and loans are given from this Fund to such of the States whose allotments were pooled, for financing their resettlement and welfare schemes for ex-servicemen.

(b) Rs. 3,86,882.

(c) 58 ex-servicemen have been selected for allotment of 580 acres of land in erstwhile Pepsu State.

Sarnath

450. Shri D. C. Sharma: Will the Minister of Education and Scientific Research be pleased to state:

(a) the amount spent on the maintenance of Sarnath during 1956-57; and

(b) the amount proposed to be spent during 1957-58?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): (a) Rs. 15,485.

(b) Rs. 16,326.

Soft Drinks Centres in Delhi

451. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question, No. 1251 on the 20th December, 1956 and State how many more Centres have since been opened for soft drinks and milk in Delhi as part of the Prohibition Programme?

The Minister of State in the Ministry of Home Affairs (Shri Datar): No more centres for soft drinks and milk have been opened.

Delhi Police

452. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the number of police personnel of the Delhi State, who have been suspended, reduced in rank, discharged or dismissed as a result of decisions of courts of law during 1957 so far; and

(b) the number of appeals filed against such decisions and the results thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar):

(a) (i) suspended	5
(ii) reduced in rank	Nil
(iii) discharged	Nil
(iv) dismissed	2

(b) Two. Both are pending in Court.

Sahitya Akademi

453. Shri Mahanty: Will the Minister of Education and Scientific Research be pleased to state the activities undertaken by the Sahitya Akademi in 1956-57?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): A Statement is laid on the Table. [See Appendix II, annexure No. 63.]

Museums in States

454. Shri Mahanty: Will the Minister of Education and Scientific Research be pleased to state whether Government propose to finance some of the Museums in States which are at present in a neglected condition?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): Financial assistance will be made available by the Central Government to State

Governments for specific schemes of development of principal State Museums only.

All India Service Officers' History

455. { **Pandit D. N. Tiwary:** / **Shri Ram Krishan:**

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a new edition of History of Services of the All India Service Officers is under preparation; and

(b) if so, the particulars it will contain?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) It will contain such details as the officer's date of birth, his educational career, the date of his joining Government Service and the various posts held by him from time to time.

Enquiry into the Death of Dr. Ambedkar

456. **Shri B. C. Kamble:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 574-A on the 29th May 1957, and state:

(a) the names of persons whose statements were recorded at the time of death of Dr B R Ambedkar; and

(b) what person or persons conducted the said enquiries?

The Minister of Home Affairs (Pandit G. B. Pant): (a) and (b). The enquiries were conducted by the Delhi Police authorities who, during the course of their investigation, obtained the statements of—

1. Shri Yashwant Rao, son of the late Dr. B. R. Ambedkar,
2. Shrimati Sharda Bai Ambedkar, widow of the late Dr. B. R. Ambedkar, and
3. Shri C. G. Bulcskar, brother-in-law of Mrs. Sharda Bai Ambedkar,

among others. There was, however, no occasion to record the statement of any person at the time of Dr. Ambedkar's death.

Government Employees of Tripura

457. **Shri Dasaratha Deb:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the wage-scale of the Government employees of Tripura is much lower than the wage-scale of Government employees in West Bengal; and

(b) whether Government propose to raise the present wage scale of Government employees of Tripura?

The Minister of Home Affairs (Pandit G. B. Pant): (a) No.

(b) Does not arise.

Umakanta Academy High School Boarding House, Agartala

458. **Shri Dasaratha Deb:** Will the Minister of **Education and Scientific Research** be pleased to state:

(a) whether any representation has been made to Government by the students of Umakanta Academy High School Boarding House, Agartala (Tripura) regarding inadequacy of supply of ration;

(b) whether it is a fact that the contractor who obtained tender to supply rations to the boarders has been supplying only four *chataks* of rice per meal per head;

(c) the steps taken in the matter; and

(d) the total amount of money being spent per annum on messing in the Boarding House?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali) (a) Yes, Sir.

(b) and (c). The management has fixed the rate of rice at 4 *chataks* per meal per boarder which is the average standard rate of rice ration.

Usually this is sufficient but if there is a shortage on any day an extra quantity of rice is cooked.

(d) 1955-56	Rs. 22,859-4-0
1956-57	Rs. 24,254-0-0

Army and Air Force Canteens

459. **Shri Narayanankutty Menon:** Will the Minister of **Defence** be pleased to state:

(a) whether Government have framed any rules regarding the service conditions of employees working in the canteens of the Army and Air Force;

(b) if so, what are the rules;

(c) whether Government have received any representation from these employees regarding the pay and other service conditions; and

(d) if so, the action taken on such representation?

The Deputy Minister of Defence (Sardar Majithia): (a) and (b) Employees working in the Army and Air Force Canteens are not Government Servants and the question of Government framing any rules regarding their service conditions does not arise.

(c) Not recently.

(d) Does not arise.

Political sufferers in Manipur

460. **Shri L. Achaw Singh:** Will the Minister of **Home Affairs** be pleased to state:

(a) how many persons have been given lands or monetary help as political sufferers in the territory of Manipur during 1947-56;

(b) how many persons applied for help or relief as political sufferers; and

(c) how many applications have been rejected?

The Minister of Home Affairs (Pandit G. B. Pant): (a) None.

(b) Thirty-two.

(c) Four.

Movement of Coal

461. **Dr. Ram Subhag Singh:** Will the Minister of **Steel, Mines and Fuel** be pleased to state the total quantity of coal moved by railways during 1956?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): 35·408 million tons of coal (including coke) was moved by railways during 1956.

Tour Programmes of Ministers

462. **Shri T. B. Vittal Rao:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the tour programmes of ministers are circulated in advance; and

(b) if so, the names of the departments to whom they are circulated?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) The attention of the hon'ble Member is invited to the Press Note dated the 28th June, 1957 issued on the subject.

Assistance to Scientists

463. **Dr. Ram Subhag Singh:** Will the Minister of **Education and Scientific Research** be pleased to state:

(a) since when the Scheme for Partial Financial Assistance to Indian Scientists going abroad has been put into operation; and

(b) how many scientists have so far been helped under this Scheme?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): (a) 1946-47.

(b) 29. Six more scientists will be given assistance during the current financial year.

४६४ श्री बघेलाल दास : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) उज्जैन में प्रतिरक्षा विभाग के पास कितना बीघा चरागाह है;

(ख) इस से सरकार को १९५० से अब तक कितनी आय हुई तथा इस के प्रबंध आदि पर कितना व्यय हुआ;

(ग) क्या ये चरागाहें प्रतिरक्षा विभाग के काम में नहीं आ रही हैं;

(घ) क्या राज्य सरकार ने इन्हें वापस मांगा है, और

(ङ) यदि हां, तो प्रतिरक्षा विभाग ने इस विषय में क्या निर्णय किया है ?

प्रतिरक्षा उपमंत्री (सरदार मजीठिया) : (क), (ग), (घ) तथा (ङ). प्रतिरक्षा मंत्रालय के अधिकार में उज्जैन में कोई चरागाहें नहीं हैं। संघीय वित्तीय एकीकरण के फलस्वरूप सेना ने उज्जैन में लगभग ५००० बीघा घास की बीड़ अपने अधिकार में ली थी। यह बीड़ बाद में अक्टूबर १९५५ में मध्य भारत (वर्तमान मध्य प्रदेश) सरकार को प्रदान कर दी गई।

(ख) जितना समय यह बीड़ प्रतिरक्षा विभाग के अधिकार में रही उन से ४५५५६ रुपये आय हुई। उनके प्रबन्ध पर विशेषत. कोई व्यय नहीं किया गया।

Madras High Court

465. Shri Tangamani: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a proposal has been received from Madras High Court and Madras State Government for the appointment of two additional temporary judges for the Madras High Court; and

(b) if so, the action taken thereon?

The Minister of Home Affairs (Pandit G. B. Pant): (a) and (b). Yes, two temporary posts of Additional Judges have been sanctioned for the Madras High Court. Proposals for filling these posts are under consideration.

Class III Employees

466. { Shrimati Parvathi Krishnan: Shri D. C. Sharma:

Will the Minister of Home Affairs be pleased to state:

(a) the total number of temporary Class III employees now working in Government of India offices;

(b) the number among them who have completed one year and over of continuous service;

(c) the number expected to be made permanent in the near future; and

(d) whether there is any scheme to make the employees permanent after a certain period of service?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b) The information is being collected and will be laid on the Table of the House in due course.

(c) It is not possible to indicate the number of temporary employees expected to be made permanent in the near future, because confirmations are—

(i) dependent on the number of permanent vacancies which may occur from time to time; and

(ii) made in accordance with the rules for each service, grade or post.

(d) The policy of Government is that 80 per cent of the posts which have been in existence for more than 3 years and which are required on a long term basis should be made permanent. After three years of approved service, temporary employees are also awarded quasi-permanent

status which confers security of tenure as well as pensionary benefits analogous to those available to permanent employees.

Allotment of Cement and Steel to Collieries

467. Shri Matin: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the quota of cement and steel allotted during the second quarter of the year to Government collieries; and

(b) the quota of cement and steel allotted during the same period to private collieries?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The required information for the quarter April to June, 1957 is given below:—

	(a) Govt. collieries Tons	(b) Private collieries Tons
Cement	7890	16110
Steel	6673,50	5600

PAPERS LAID ON THE TABLE

HYDERABAD STATE BANK (COMPENSATION) RULES

The Minister of Finance (Shri T. T. Krishnamachari): Sir, I beg to lay on the Table, under sub-section (3) of section 41 of the State Bank of Hyderabad Act, 1956, a copy of the Hyderabad State Bank Compensation) Rules, 1956, published in the Notification No. S.R.O. 2274, dated the 14th October, 1956. [*Placed in Library. See* No. S-152/57.]

FURTHER INFORMATION ON SUPPLEMENTARIES TO STARRED QUESTION No. 134

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): Sir, I beg to lay on the Table a copy of the statement containing further information on the Supplementaries to Starred Question No. 134 answered on the 18th July, 1957.

Statement

While replying to Supplementaries to the Starred Question No. 134, on the 18th July, 1957, regarding the amount allocated to the Punjab under the Low Income Group Housing Scheme, I had *inter alia* stated that in the Second Plan, there was no target so far as the number of houses was concerned. Although I had also mentioned that Rs. 40 crores had been allotted and the maximum help that could be given in regard to any particular house was Rs. 8,000/- from which it should normally be possible to calculate the number of houses, which could be built out of Rs. 40 crores, I would like to add that a target of 68,000 houses had actually been laid under the 2nd Five Year Plan but this target would, of necessity, be regarded as notional rather than physical due to various changing factors, such as, pre and post-budget rise in the cost of building materials, revision of ceiling costs in the case of Local Bodies and wide flexibility in the permissible costs of construction.

BUSINESS ADVISORY COMMITTEE

FIFTH REPORT

Sardar Hukam Singh (Bhatinda): Sir, I beg to present the Fifth Report of the Business Advisory Committee.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

EXPLOSION OF A RAILWAY WAGON AT ASANSOL RAILWAY STATION ON 31-7-57

Shri Tangamani (Madurai): Sir, under Rule 197, I beg to call the attention of the Minister of Railways to the following matter of urgent public importance and I request that he may make a statement thereon:

> "The explosion of a Railway wagon at Asansol Railway Station on the 31st July, 1957."

The Minister of Railways (Shri Jagjivan Ram): Sir, a covered goods wagon loaded with over 100 packages of fireworks, booked from stations in Madras State to a number of stations

[Shri Jagjivan Ram]

via Asansol, was received at Asansol from Khargpur Early in the morning on 31-7-1957, it was placed on the siding serving the transhipment shed so that the contents may be sorted and despatched to the different destinations The wagon was opened at about 11 00 hours and very shortly thereafter its contents exploded

The explosion was of severe intensity It was felt not only all over the town of Asansol, but over a radius of several miles Besides the wagon containing the fireworks, three wagons by its side were damaged, and the roof of the transhipment shed was blown off The track was also severely damaged and thrown out of alignment

As a result of the explosion, 10 died on the spot and 4 more have since died in the hospital One of those who died is a transhp clerk, another a member of the Railway Protection Force and three labourers working under the labour contractor The remaining dead bodies have not yet been finally identified, but it is believed that two of them are of transhp clerks and the remaining of labourers employed by the contractor

Two persons who were seriously injured were taken to the Railway Hospital where they are progressing

Some persons also received minor injuries, but their exact number is not known

An enquiry into the accident by a Committee of Railway Officers commenced yesterday (1 8 1957) The Inspector of Explosives, Calcutta, the Additional Superintendent of Police, Asansol, and a representative of the local District Magistrate were also present during the enquiry

The Indian Explosives Act, the Indian Railways Act and the Red Tariff issued by the Indian Railway Conference Association prescribe a number of regulations in regard to the packing, marking, handling and transport of explosives and dangerous goods Some of these are for the senders to comply with and the others for the railway staff to implement

At this stage, with the enquiry into the accident still in progress, it is not possible to say what was the cause of the explosion

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POINT OF INFORMATION

Shri Viswanatha Reddy (Rajampet) May I make a submission, Sir? Some days ago I gave notice of a call attention notice with regard to the Pataskar Report on the subject of the Madras-Andhra border Since then certain reports which purport to be substantial portions of the Pataskar Report have appeared in the Madras Press I wish to know from the Home Minister whether he is prepared to make a statement on the subject

Mr. Speaker: The hon. Member has given a call attention notice regarding Pataskar's Report on the ground that some portions have appeared in the Madras Press I have passed it on, I think, to the hon Home Minister for consideration and information

The Minister of Home Affairs (Pandit G B Pant): I don't think I have received it

Mr. Speaker. Let me see where it is I shall try to send it on immediately I will look into it and see

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DEMANDS FOR GRANTS*—*contd.*

MINISTRY OF LAW

Mr. Speaker. As suggested by me on the 31st July, 1957, Members who want to speak on the Demands for Grants in respect of various Ministries should send me chits intimating, their names, Division Numbers, State, Constituency and Party to which they belong and also whether they have already taken part in any other debate or debates on the General Budget Even in case where parties and groups give names, they may use the same forms.

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*Moved with the recommendation of the President

The forms for this purpose are available at the Table. Members who wish to speak may now use the forms. Copies of the forms are also available in the Notice Office.

Some of the hon. Members say that they have had absolutely no opportunity, and I am not able to distinguish and see in a moment how many have spoken and from what territory. Sometimes territorial distribution has to be made as in the case of irrigation, education etc. and opportunities have to be given sometimes to party interests etc. I thought that this will facilitate my deciding, when I am sitting here, to call on any particular Member. The forms will be made available and hon. Members will kindly take the trouble to fill in these forms and send them to me instead of chits.

Shrimati Renu Chakravartty (Basirhat): May I know what is the purpose? Is it only to intimate who are the Members that want to speak, where they come from and is it that you are ruling today that you are going to call only on the basis of territories or constituencies? We should like to have clarification on this point.

Shri S. N Dwivedy (Kendrapara): In this matter, I do not think it is your desire to go away from the procedure that we are following. It is not only territorial representation, I think, but party point of view also that should be placed before the House and it may be necessary for parties to select their Members to speak on subjects. They may not belong to particular territories even. Therefore, I do not think that you should have any method saying that only persons who have not spoken will be given opportunities.

Mr. Speaker: This is only for my information. I shall give representation to territories, to parties and to interests and all sections of the Parliament. The front-benchers, the middle-benchers and the back-benchers, all these I will take into consideration. From any particular group a name may be given; but, if I find that names are not given by other groups, I can choose from that group some person who stands. I am not going to ignore the recommendations of any particular group. I will call those Members. But, wherever I do not get such help or assistance I shall choose from other territories. In some cases it may be necessary, as in the matter of irrigation, without prejudice to the groups giving names, other Members also should be given opportunities. But that would not clash with others.

Shrimati Renu Chakravartty: This may be necessary as far as the Congress Party is concerned. But, as far as other parties are concerned, we generally take into consideration that we will get a very small number of speakers, two or three, and on that basis we give our lists.

Mr. Speaker: I want to know the name and also the Division Number and the Party to which he belongs. What is the objection to filling these in the form to which I have referred? If I am going to ignore the party slips, it is a different matter.

Raja Mahendra Pratap (Mathura): I belong to humanity.

Shri Radha Raman (Chandni Chowk): May I know whether the new procedure you have just announced will differ from the present practice of catching the eye?

Mr. Speaker: Order, order.

The House will now take up discussion of the Demands for Grants Nos. 73, 74 and 75 relating to the Ministry of Law. As the House is aware, 1 hour has been allotted for the Demands of this Ministry.

There are a number of cut motions to these Demands. Hon. Members may hand over at the Table within 15 minutes, the numbers of the selected cut motions they propose to move. I shall ask the Members to move them, if the Members in whose names those cut motions stand are present in the

[Mr. Speaker]

House and the motions are otherwise in order

DEMAND No 73—MINISTRY OF LAW

Mr. Speaker: Motion moved.

"That a sum not exceeding Rs 1,00,56,000 be granted to the President to complete the sum necessary to defray the charges which will come in the course of payment during the year ending the 31st day of March, 1958, in respect of 'Ministry of Law'"

DEMAND No 74—ADMINISTRATION OF JUSTICE

Mr. Speaker. Motion moved

"That a sum not exceeding Rs 1,39,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Administration of Justice'"

DEMAND No 75—MISCELLANEOUS EXPENDITURE UNDER THE MINISTRY OF LAW

Mr. Speaker. Motion moved

"That a sum not exceeding Rs 3,65,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Miscellaneous Expenditure under the 'Ministry of Law'"

Shri Easwara Iyer (Trivandrum) What is the time allowed, Sir?

Mr. Speaker: How many minutes will the hon Minister require?

The Minister of Law (Shri A. K. Sen): About fifteen minutes

Mr. Speaker: All right Fifteen minutes will be taken by the Minister and fifteen minutes by the Opposition Half an hour will be taken by the others

Shri S. Ghose (Burdwan) Sir, law being the sheet anchor of the House, we would request you to extend this time

Mr. Speaker: I cannot help in this matter A sub-committee was appointed which suggested this It has now become the order of the House as it has been accepted by the House. The leaders of groups represented there that the Law Ministry need not take more than one hour

Shri Easwara Iyer: Sir, Within the available time-limit, I shall try to do justice (Interruptions) As a Member of the profession I must say that this is one of the most important subjects but yet it has been allotted only one hour

12-13 hrs

[MR DEPUTY-SPEAKER *in the Chair*]

Sir, I do not propose to go into the details but submit only certain aspects of the matter for the due consideration of the Minister of Law Our Constitution has provided—I refer to the Preamble—that we should evolve a legal system based on social justice, political justice and economic justice. I think that the legal system of our country, having due regard to the frame work of the Constitution that has been laid down—whatever may be my political ideology—needs a complete reorganisation or revision. The legal philosophy of the country must change according to the concept that had been laid down in the Preamble to the Constitution, the legal concept being social justice

An examination of the Directive Principles of the Constitution reveals the fact There is a provision in the Directive Principles that due regard must be had by any State to the social justice What exactly is this social justice? It is a matter on

which I can dwell at great length. Unfortunately, I am prevented from doing so for lack of time. I respectfully submit for the consideration of this House that the principles which had been derived from Macaulay, Salmond and Austin—all these concepts should not any more be made the basis for our legal philosophy. The legal philosophy must get a complete reorientation based on social justice.

We have got our Fundamental Rights. The Constitution declares equality before the law and equal protection of law. I do not understand how in a capitalist society equality before law could be worked out in its practical application, particularly when there is wide disparity between the exploiter and the exploited.

Shri Nath Pai (Rajapur): Sir, I am sorry to interrupt but it is a bit extraordinary for the Law Minister to be be absent when the Law Ministry is being discussed here.

The Minister in the Ministry of Home Affairs (Shri Datar): Sir, I am here to represent him.

Shri Nath Pai: We want the Law Minister.

Mr. Deputy-Speaker: The Law Minister is here; he is having some discussion with the Speaker. He will be coming here shortly.

Shri Nath Pai: We are happy to have the assurance that he is coming.

Shri Easwara Iyer: With the time at my disposal limited and with so many points, I would request hon. Members not to interrupt.

Mr. Depnty-Speaker: I am glad that the hon. Member has got consciousness of the limitations of time.

Shri Easwara Iyer: Having due regard to the pattern of society that we are having under the Constitution, a certain amount of litigation could be avoided or mitigated by evolving a reform of laws in this country. I would say, with respect to judicial reforms also, a few words about the avoidance of delay in the matter of disposing of cases. To this I would also add the avoidance of undue haste, avoidance of unnecessary expenditure in litigation, or avoidance of procedural technicalities, reducing the trials in courts. They are all a matter of discussion rather than a case for the search of truth. Trial before the court should not mean that one counsel must get a victory over the other. All these could be avoided by necessary legislations on the subject. Certain amount of equality before law in its practical application could be managed if these things are done having due regard to the principles that have been enunciated in our Constitution. I would earnestly suggest this to the hon. Law Minister because I read from the Law Ministry's report for 1956-57 that its function is also to advise in necessary matters the other departments. The Ministry of Law cannot of course be a water-tight compartment.

I cannot conceive of any modern society in which there is no law. Lawlessness cannot exist in any system of society. Law, if I may say so in common parlance, is the legal clothing for society. With the change in the pattern of society, the cloth also changes.

As an illustration as to how the social justice could be worked out, I may submit before this House that one of the fundamental points that is to be considered is that the personnel of the judiciary should also be men of progressive nature. They must have due regard to the social justice that may be required in the matter of interpretation of rules or Statute. They should not be guided by outmoded or exploded principles of jurisprudence that they have learnt in ancient days. In this connection, I may say with great respect that there are certain things to be considered. Possibly they may be coming within the purview of the Home Ministry but it is also for consideration by Law Ministry.

[Shri Easwara Iyer]

Most important of all is the separation of the judiciary from the executive. Moreover, quite apart from an impartial judiciary that is desirable, in cases where there has been an ambiguous provision of a statute which is capable of different interpretations while it is open to the judiciary to give its interpretation once it is found that a decision has been arrived at without due regard to social, economic or political justice, which is the root of our Constitution, we must be providing proper legislation, immediate legislation, to wipe out that disability

I say this, Sir, because I find that there are a number of interpretations that have been arrived at which are not consistent with social justice The Law Minister may say that he has appointed a Law Commission for the purpose of revising and remodelling our laws Lack of time prevents me from commenting upon the work of the Law Commission, and I will choose my time to comment upon it when its report comes before this House

But, I might say with respect that in one of the interpretations of a statute, I refer to the States Reorganisation Act, while the matter was pending before this House the Law Commission forwarded a report regarding the desirability of having one High Court at one State This House threw that report overboard and enacted Section 51 It was said there that consistent with the notions that are available in modern days, the high standards of administration of justice, which the Law Commission thought would be available only if the judiciary sits as one High Court, could very well be got even if the judiciary could be split up into two or three Division Benches "The high standards of administration of justice" is an expression which has been used by the Law Commission for the purpose of opining that the judiciary must sit as one High Court

My small experience as a lawyer taught me that the standards of administration of justice are not dependent upon the entire lot of Judges sitting in a colossal building in a Moghul Emperor fashion, but they are really dependent upon the integrity, the impartiality, the independence and, last but not the least important, the legal erudition of the Judges who adorn those benches

This House has enacted Section 51 and consistent with the States Reorganisation Act it has been provided..

Mr. Deputy-Speaker: The hon Member must conclude now

Shri Easwara Iyer: I will conclude in five minutes

Mr. Deputy-Speaker: The hon Member can have two minutes more Only 60 minutes are allowed for this subject and not more than 15 minutes to each Member

Shri Easwara Iyer: Consistent with Section 51 of the States Reorganisation Act, the Bombay High Court provided Division Benches, the Madhya Bharat High Court provided Division Benches, but it needed an agitation so far as the Kerala High Court was concerned to provide a Division Bench at Trivandrum There too, surprisingly enough, the Kerala Chief Justice put an interpretation inconsistent with social justice and the demands of the people of that area, that though he may constitute a Division Bench cheapness of litigation is not available to Trivandrum persons because for appeals etc they will have to file the papers at Ernakulam, the principal seat of the High Court

This is directly contrary to the interpretation put on the section by the Bombay High Court or the Madhya Bharat High Court, or any other High Court I do not say for a moment that the Bombay High Court or the Madhya Bharat High Court are infallible, nor do I say that the Chief Justice of Kerala cannot come to a different conclusion It may be open to greater intelligentsia, to differ from Bombay High Court or Madhya Bharat High Court Although I am

bound to abide by the decisions of the Chief Justice of Kerala High Court, I am yet to learn to admire his legal erudition.

I, then, put a question in this House as to whether, since there is no uniformity in law, or the central law that is applicable in the matter, it could not be referred for an authoritative decision, under article 143 of the Constitution to the Supreme Court. Article 143 has been provided for such purposes. The answer was paradoxical, if I may say so with respect, that the aggrieved party may take it up. Why should the aggrieved party, who is a very poor man and who wants his case to be decided at Trivandrum, file a suit or appeal at Trivandrum, get it dismissed, then file a writ petition making the Judge who has refused to receive the case a party to the case and get it dismissed again, then file a Division Bench appeal and get it dismissed and then finally take it before the Supreme Court? That will involve him in unnecessary litigation. Why should there be a provision under article 143? Is it not inconsistent with economical, political or social justice? Why not an authoritative decision be arrived at? Why should Central Government fight shy of this decision? Let the Supreme Court decide that under section 51(3) a filing jurisdiction cannot be got, then we will be prepared to take it consistent with the provisions in our Constitution I may not be sharing the views of the Trivandrum people, but it necessarily gives rise to this inference, that so far as the people of Kerala are concerned they are treated in a step-motherly fashion.

This has been the feeling there and on behalf of those persons whom I represent I respectfully implore the Ministry of Law to put a saner interpretation on this matter and move the responsible quarters for referring the matter under article 143.

I have again to refer to a matter where there is need for revision under the Criminal law. Lack of time prevents me from going into details, but I would say that in all cases where a firing is ordered by any authority—it is in most extraordinary circumstances that a firing is ordered—a judicial enquiry must follow under a statutory provision and statutory minimum damages should also be provided. Where an officer has acted irregularly, otherwise than illegally, if any officer has acted irregularly he must be, in law, liable in damages for shortened expectations of life. Such provisions are absolutely necessary consistent with social justice.

Mr. Deputy-Speaker: The hon. Member's time is over.

Shri Easwara Iyer: Sir, I have more to say.

Mr. Deputy-Speaker: This House can hear the hon. Member at another time.

12.28 hrs.

Shri R. J. Rao (Koraput): Mr. Deputy-Speaker, Sir, as I went through this book showing the subjects allotted to the various Ministries, I found that the Ministry of Law....

Mr. Deputy-Speaker: The hon. Member may try to conclude his remarks in ten minutes.

Shri R. J. Rao: I will try, Sir. I find that the Ministry of Law has not been allotted subjects that pertain to it. The appointment of Supreme Court Judges and High Court Judges is given to the Ministry of Home Affairs Similarly, the items criminal procedure and criminal law which do form part of law should have been allotted to the Ministry of Law. I do not for a moment mean that the Ministry of Home Affairs is dominating over the Ministry of Law. But, all these matters are connected with the Ministry of Law. The Minister of Law should be the Minister of Justice and he should be in charge of all these portfolios.

Mr. Deputy-Speaker: That might be a wider question, not for the Minister of Law to answer.

Shri R. J. Rao: I quite agree. The joint responsibility of the Cabinet is there.

Mr. Deputy-Speaker: Here we are concerned with what this Ministry has done with the jobs entrusted to it.

Shri R. J. Rao: What I would like to impress upon the House is that the Minister of Law is responsible for judicial appointments and also for the administration of justice. Of course, the Cabinet is jointly responsible, I do not dispute that.

Shri Tangamani (Madurai): It is separation of judiciary from executive at all levels.

Shri R. J. Rao: Next I would deal with the oft-quoted principle of separation of judiciary and executive. We have been fighting for this principle even from the British times. After we achieved independence we are not going ahead with this principle. Several State Governments have not so far implemented this principle. My submission is that every State Government should be called upon to implement this and see that the judiciary is separated from the executive.

In this connection, I would like to say that in a welfare State, the position of administrative law has also to be considered. We have adopted the democracy of the British parliamentary type, but the position of the administrative law in a welfare State with its growing activities has also to be considered. We have to see what powers are to be given to the administrative tribunals and the right of appeal or superintendence over them should not be taken away. Of course, the superintendence of the High Court and also of the Supreme Court is there in certain circumstances. But it has to be seen that where an administrative tribunal is appointed, this right of appeal to a higher authority is there.

A few days ago, the Finance Minister declared on the floor of this House that he would prefer appointing a network of administrative tribunals to go into the disputes regarding the pay or wage structure and so on. But in all these though I concede the necessity of the administrative tribunals in a democracy, the principle that these tribunals should be all sovereign could not be conceded.

I next refer to the law's delays in the administration of justice and in the disposal of cases. At present, civil cases take a long time to be decided upon. It takes a long time for a suit to be disposed of under the Civil Procedure Code. There is also long delay in the disposal of criminal cases. Of course, this problem has been entrusted to the Law Commission which is required to go into the state of the existing laws and devise ways and means for the speedy implementation of justice. But unfortunately, the Law Commission has taken a long time in submitting its report. In September, 1955, the Law Commission was constituted and we are given to understand that its time will be extended up to the end of December, 1957. My submission to the Law Minister is that the Law Commission should expedite its work and submit its report and recommendations and that the recommendations should be implemented soon.

Next I would deal with the drafting of the legislative enactments. Any amount of illegalities and loopholes are to be found in the Acts that have been recently passed both by Parliament and the State legislatures. I would request the Law Minister to bestow greater attention on this and see that in the matter of drafting all these laws, these irregularities or loopholes do not get in. If they get in, the result is that the litigants and the poor men are hit hard. For instance, the Life Insurance Corporation Act, sub-section (1) of section 11 has been given an interpretation by the High Court which held that the section is *ultra vires*. The position is still worse in regard to the State enactments. I am glad to find from the newspaper reports

that the hon. Minister is going to convene a meeting of all the State Law Ministers on this subject, and that he is going to see that hereafter drafting is given great importance and high priority and that hereafter a better system would be evolved.

I would also submit that some years back there was a proposal to give legal assistance to poor clients free of cost. Questionnaires were sent to all Bar Associations in the mofussil, but I do not know at what stage the matter stands. I would request the hon. Minister to consider and see if this question could be taken up.

Next, I would request the Law Minister to consider the question of the creation of an All-India Bar This question had also been previously taken up. There should be a unification of the bar and the Minister should see that there is one grade of lawyer throughout the country. At present, various States have laws regarding legal practitioners and these laws differ, and similar is the case with regard to the fees. There should be a uniform system, and there should be a uniform grade of lawyers and a uniform system of fees, so that the clients can approach with certainty a lawyer and have the case argued.

Next, I would refer to article 222 of the Constitution which empowers the Government to transfer judges of one High Court to another High Court. This is a very salutary rule incorporated in the Constitution. The transfer of judges from one High Court to another is highly necessary. In cases where a particular judge occupies the bench for more than five or six or eight years, it would be in the interests of the country that the particular judge, however impartial he may be, is transferred to another High Court. However impartial he may be, he would naturally acquire some likes and dislikes, and it would be better that article 222 is implemented in future. This question should be considered.

Lastly, I refer to the Election Commission The Election Commission is given wide powers under article 324 of the Constitution. It was experienced during the last elections that the Election Commission passed certain orders and these orders are final. Some inconvenience was felt by the contesting candidates and parties. At the last moment, some constituencies were newly delimited and changes in the system of balloting were introduced So, I would request the hon. Law Minister to bestow a greater amount of superintendence and supervision on the Election Commission and see that whatever rules are passed by the Commission, apart from the technical or formal rules, especially those rules which materially affect the elections, better attention is paid to those rules, and those rules are placed before Parliament before they are put into force.

Shri Surendranath Dwivedy: I want to be very very brief, and refer to a specific matter regarding the election petitions Generally speaking, the elections have been run fairly and in an impartial manner. I have no grievance as regards that, nor do I subscribe to the theory that the powers of the Election Commission should be curtailed. But I feel there have been certain lapses or neglect, whatever one may call it, which to me appear to be very serious.

In the first general elections, there was an election petition against one ex-Minister, Shri R. K. Bose. He was a member of the Congress party in the Orissa Assembly. The election Tribunal that was appointed, disqualified him for six years, and an appeal was then preferred in the Supreme Court The Supreme Court held that the election tribunal that was appointed had not gone into all the matters referred to in the election petition and that therefore, this matter should again be referred to the same tribunal. But, unfortunately, although the Election Commission appointed a tribunal, but not with the same persons who constituted the first tribunal. There was a rumour that certain wire-pullings were done and that the same persons were not there. I do not

[Shri Surendranath Dwivedy]

want to go into that matter, but the fact remains that the new tribunal or the changed tribunal that was appointed gave a verdict in favour of Mr. Bose and rejected the petition. An appeal was preferred in the High Court against the decision, and the High Court held that the new election tribunal that was appointed had no *locus standi* to decide the issue and that the matter should be referred to the previous tribunal. Nothing has been done in that respect; nor another tribunal was appointed; nor the Supreme Court was informed about the difficulties in appointing the same tribunal, as a result of which the person concerned who was disqualified by the tribunal again contested the election and got himself elected.

Shrimati Renu Chakravartty: Was he appointed as a Minister?

Shri Surendranath Dwivedy: He could not become a Minister because there were several allegations against him. I do not want to go into them. Therefore, it would seem that unless we take some speedy action regarding the disposal of election petitions, it would be very difficult, and the whole elections would be unfair.

There is another thing to which I would like to refer. The House must have known that even during the first general election, there were complaints about the ballot boxes. The Godrej boxes especially were said to be defective. I know that in Orissa Godrej boxes were used. I am informed that before a month of the polling, the defect in the Godrej boxes was pointed out to the Election Department in Orissa and, the Godrej Company was also informed about it. The company ultimately wrote to the person concerned that the boxes were made according to the specification given and with the approval of the Election Commission, who were the proper authority to be approached. The Election Commission, did not go into the matter, although I am told that in the Election Department of the Government of Orissa, it was demonstrated that the boxes were defective. When the polling is going on, when the final seal is not put, it is possible to open the box and transfer the ballot papers from one box to another. Still no step was taken and the same boxes were used in the last general election. It is, therefore, inferred that in some cases, it is possible that the boxes were tampered with and votes transferred. Things happened which were said to be unfair. Therefore, I would like the Minister to refer this matter to the Election Commission or come forward with a statement in the House as to how far these things can be remedied. In future, let us not hear complaints like this, that the Election Commission neglected things, which were very important and serious in all respects.

Shri Pattabhi Raman (Kumbakonam): I am afraid that the legal profession, to which I have the honour to belong, has not in recent times been sharing the glory that it used to share in the olden days in the building up of the national life and in the contribution to the administration of the country. The lawyers must regain the position they held originally. After all, the father of the nation belonged to our profession; our Prime Minister belonged to our profession—I need not enumerate the numerous persons who belonged to our profession.

I do not share the view of my hon. friend from Kerala that we are not keeping in touch with the dynamic forces in the country today nor do I concede that we are reactionary and are not moving with the times. I would submit with great respect that we are well-qualified in every department, and we will only be too willing and ready to rush to the aid of the Government and the administration, wherever we are needed and whenever we are needed.

I submit in the first instance that legal education and the Bar should

be placed on an all-India basis. Likewise the judiciary also. I feel that the qualifications of lawyers and judges all over India should be the same and there must be a free transfer of judges, so that we will have judges with an all-India outlook, functioning in the various places It will add to the homogeneity in the country and it will certainly counteract fissiparous tendencies that may be obtaining in the various parts of the country The Madras State Bar Federation have submitted complete answers to the questionnaire sent out by the Law Commission and we have stressed *inter alia* there the various aspects of legal education and the equipment for the judiciary

I next come to the sad fact that there is no mention at all of lawyers or the legal department in any of the Government publications of recent origin *India—1957* refers to a number of matters including Manipur dances, to various departments and various institutions in all parts of the country, but not a word about the poor lawyer I think he deserves some little mention After all, I am astounded at the work done by the legal department and the amount of achievement that we have had in the last five or six years Now the Hindu law of succession is different, our ideas of property have changed, we have abolished zamindaris We have got a separate code for compensation whereever lands are acquired by Government So much has been achieved, but not a word about the legal department or the lawyer is found in any Government publication except

Mr Deputy-Speaker Would the hon Member like to be bracketed with Manipur people?

Shri Pattabhi Raman I wish to refer to this eight-page bulletin, which is very useful to us I submit that we deserve, and there is need for better mention of us than what has been done

Reference has been made to the separation of the judiciary from the executive That, I am very proud to say, has been achieved almost completely in Madras We have been the pioneers in that direction and I have no doubt that other States will follow That is very essential for the proper administration of justice, especially criminal justice.

With regard to legal aid for the poor steps have been taken in some States Some act and some do not act. I submit that all aid should be given to the poor in whatever manner they need it Here while talking about this matter, I wish to stress with all the strength at my command to the wickedness of the stamp charges in various States In Madras, we have to pay 7½ per cent *ad valorem* stamp charges on litigation without any upward limit.

I will give you an instance Supposing a great family had donated all their lands to the nation and the trustees have to fight to recover from transpassers some land, say worth Rs 5 lakhs In Madras they will have to pay Rs 40,000 and odd as stamp charges—7½ per cent *ad valorem* without any upward limit I am glad some States like Bengal have fixed an upward limit of Rs 10,000. There are States which want to make money out of litigation It is wholly opposed to the great *Magna Carta* principles 'To no one will we sell justice", etc but yet justice is being sold. The usual answer trotted out by the Ministers in charge of legal departments in the States is that the civil administration is not running at a profit But they include the cost of the magistracy and the criminal courts along with the civil justice receipts and say that there is no profit Is it not a crying shame that the States should make money out of the misery of the litigant? After all, he does not resort to litigation unless he is forced to do it; it is not as if all people rush to litigation It is a shame that a huge amount has been fixed as stamp charges—7½ per cent *ad valorem*. I know it is a State subject and the Centre cannot act in these matters. But, I hope that with the energetic lead from our Law Minister, some

[Shri Pattabhi Raman]

sort of uniformity would be achieved in this matter, as in so many other matters

So far as the simplification of Law is concerned much has been achieved I will give one example *Mayne's Hindu Law* is a big book with a thousand pages I had the honour of collaborating in the 10th and 11th editions of that book But now after the laws that we have passed recently, so far as Hindu law is concerned, that book needs to be reduced to one-third of its size, because matters like bandhu succession and so many other matters are now absolutely out of date and they are interesting only as ancient monuments Therefore, I would suggest that while the legal profession is co-operating in every manner in the simplification of law, it should be given proper recognition and as many lawers as possible should be made use of for various purposes

For example, there is a dichotomy already in existence, so far as pleading and acting are concerned Conveyancing is done even where there are not solicitors and barristors as in Calcutta and Bombay We have barristers in Madras, but they become advocates the day they start to practise there Even in places like Madras there is a clear dichotomy There are people who are doing conveyancing work and there are people who are pleading in courts Conveyancing will become expert if we do like this I will give you an instance to show in what way lawyers can be made use of, so far as the getting up of the documents and their registration are concerned The Companies Act today is a very cumbersome enactment. There are so many enactments which need the advice of a lawyer at every step I submit that before every important document is registered, it should contain the signature of a lawyer as having advised the person concerned. It will certainly help to relieve the great unemployment in the profession and avoid much confusion After all, it was not their fault There were only twenty-five or thirty when they joined the profession and they had then very different ideas of the profession All of a sudden, they are left high and dry They cannot become useful members of society unless they are respected, unless they are told in what way they can be made use of. I have no doubt that this will engage the attention of the hon Minister

I find there are three wings functioning so far as the Law Commission is concerned One section has to deal with statute law and they are trying to codify the statute law and bring it up to date on an all-Indian basis A second wing has made suggestions with regard to the liability of the State in tort, parliamentary legislation with regard to sales tax, Limitation Act and a proposal that the High Courts should sit for a few days at different places in the States. Their work is not all embracing I submit that they should engage themselves more with the rationale of the law and the juridical principles and any suggestions coming from them will be of immense value to us I sincerely in conclusion hope that an attempt will be made to place all the lawyers and the judiciary on an All India basis, and that this will engage the attention of the Ministry.

श्री अवस्थी (बिल्हौर) : उपाध्यक्ष महोदय, मुझे विधि मन्त्रालय के सम्बंध में कुछ ज्यादा नहीं कहना है, केवल दो तीन बातों की ओर ध्यान आकर्षित करना चाहता हूं ।

यह सर्वमान्य सिद्धान्त है कि वह न्याय जो सस्ता हो, जल्दी हो और निष्पक्ष हो, वह न्याय उत्तम माना जाता है । इस में कोई सन्देह नहीं है, जैसाकि अभी एक माननीय सदस्य ने कहा, कि इस देश के अन्दर यह एक बड़ा मौलिक प्रश्न था कि एग्जीक्यूटिव और जूडीशियरी को, अर्थात् कार्यपालक शक्ति और न्यायपालक शक्ति को,

भिन्न होना चाहिये और उन में कोई सम्बन्ध नहीं होना चाहिये । बहुत से प्रान्तों में इस का प्रयोग भी किया गया है । मैं उत्तर प्रदेश का हूं । उत्तरप्रदेश की सरकार ने भी यह काम प्रारम्भ किया है और वहां पर जूडीशियल मजिस्ट्रेट नियुक्त किये गये हैं । लेकिन उन की हालत यह है कि आज भी जूडिशियल मजिस्ट्रेट जो न्याय करते हैं उस में उन पर एग्जीक्यटिव का डंडा रहता है और जो कार्य वह करते हैं उस के बारे में एक वर्ष पश्चात् डिस्ट्रिक्ट मजिस्ट्रेट को रिपोर्ट देनी पडती है कि उन्हों ने कैसा कार्य किया है । आप अनुमान लगा सकते हैं कि इस का जुडीशियल मजिस्ट्रेट पर क्या प्रभाव पडता होगा । जूडीशियल मजिस्ट्रेट अलग कार्य करते हैं लेकिन डिस्ट्रिक्ट मजिस्ट्रेट उन के काम के बारें में रिपोर्ट देता है । इसलिये स्वाभाविक है कि जूडीशियल मजिस्ट्रेट यह समझे कि उन को एग्जीक्यूटिव के आधार पर काम करना चाहिय क्योंकि यदि वे ऐसा न करे तो हो सकता है कि उन की रिपोर्ट ठीक न दी जाये । मैं कहता हू कि विधि मंत्रालय इस ओर ध्यान दे कि उत्तर प्रदेश में जो जूडीशियल मजिस्ट्रेटो के प्रमोशन होते हैं उन के बारे में जो डिस्ट्रिक्ट मजिस्ट्रेट रिपोर्ट देता है यह बडी विलक्षण बात है । जबकि एग्जीक्यटिव और जूडीशियल विभाग को अलग कर दिया गया है ।

Pandit K. C. Sharma (Hapur): With your permission, I may correct the Member Report is made with regard to the work done not the method or the judgment.

श्री अवस्थी : मैं समझता हूं कि जब जूडीशियरी और एग्जीक्यूटिव को बिल्कुल अलग कर दिया गया है तो एक जूडीशियल मजिस्ट्रेट के काम के बारे में डिस्ट्रिक्ट मजिस्ट्रेट को रिपोर्ट नही देनी चाहिये क्योंकि वह एग्जीक्यूटिव का हैड है ।

दूसरी बात जिस की ओर मैं ध्यान आकर्षित करना चाहता हूं वह यह है कि हमारी न्याय प्रणाली ऐसी होनी चाहिये कि न्याय बहुत शीघ्र हो । मैं सदन के सामने अपना एक उदाहरण रखना चाहता हूं और बतलाना चाहता हूं कि उत्तर प्रदेश में यद्यपि जूडीशियरी अलग है, पर उस का हाल क्या है । मेरे ऊपर ११ महीने से दफा ८८ का एक मुकदमा चल रहा है । चूंकि वह कैस सबजूडिस है इसलिये उस के बारे में मैं ज्यादा नही कहूगा । मैं केवल इतना ही कहूगा कि आज ११ महीने हो गये हैं लेकिन आज तक केस की हियरिंग तक नही हुई है । इस प्रकार का अन्याय तो एक लोक सभा के सदस्य के साथ हो रहा है । जन साधारण के साथ क्या होता होगा इस का आप सहज ही अनुमान लगा सकते हैं ।

उपाध्यक्ष महोदय शायद यह लोकसभा के सदस्य का ही मान हो ।

श्री अवस्थी : अगर आप समझते है कि यह मान है तो उचित है ।

आज इस बात की दुहाई दी जाती है कि न्याय बहुत शीघ्र हो जाता है लेकिन जूडीशियल मजिस्ट्रेट ऐसा नही कर रहे हैं । आप पोथियो में चाहे जितनी अच्छी बातें लिख दे लेकिन जब तक उन पर अमल नही होगा तब तक कोई अच्छा परिणाम नही हो सकता ।

दूसरी बात मैं हाईकोर्ट और सुप्रीम कोर्ट के बारे में कहना चाहता हूँ । हम को सांविधान के अनुसार हैबियस कारपस मूव करने का अधिकार मिला हुआ है । जब हम समझते हैं कि हम पर अन्याय हुआ है तो हम हाईकोर्ट और सुप्रीम कोर्ट के सामने जा कर इस प्रकार के न्याय की याचना करते हैं । मैं समझता हूं कि जब से देश आजाद हुआ है तब से हाई कोर्ट और सुप्रीम कोर्ट के सामने हैबियस कारपस की बहुत सी एप्लीकेशन्स पेश की गई हैं लेकिन मैं आप का ध्यान इस ओर आकर्षित करना

[श्री अवस्थी]

चाहता हू कि उन का निर्णय इतनी देर में हो पाता है कि उस का मूल्य ही समाप्त हो जाता है। हम ने सुना है कि जब इंगलैंड या अमरीका में कोई इस प्रकार की पुकार करता है तो उस को २४ घटे में न्याय मिल जाता है। लेकिन हमारे यहा हाईकोर्ट और सुप्रीम कोर्ट में महीनो मामले पड़े रहते हैं और कोई निर्णय नही हो पाता। मैं समझता हूं कि इस कारण न्याय का मूल्य ही नष्ट हो जाता है। मै चाहूगा कि विधि मत्रालय इस ओर ध्यान दे।

अब मैं दाण्डा फौजदारी और दड विधान की कुछ धाराओ की ओर आप का ध्यान आकर्षित करना चाहता हू। मैं वकील तो नही हूं लेकिन इन धाराओ का मुझे शिकार होना पडता है। इस में कुछ धारायें सीक्योरिटी मेजर्स के नाम से रखी गई हैं और उन के द्वारा जो अपराधी नही होता उस को भी सजा दे दी जाती है। ये दफायें हैं १०७, १०९ और ११०। जो आदमी अपराधी नही होता उस को इन धाराओ के द्वारा अपराधी बना दिया जाता है। मैं डेढ़ महीने जेल में रहा, इत्तिफाक से मैं सी० क्लास में रखा गया। मै कानपुर जेल में था। उस जेल में लगभग ८०० कैदी थे जिन में लगभग ४०० कैदी ऐसे थे जो दफा १०९ के शिकार हुए थे। अगर किसी को एक साल की सजा हो गई तो उस के छूटने पर पुलिस उस को न दफाओ के अन्दर फिर गिरफ्तार करके जेल में डाल देती है। आप कह सकते हैं कि यह मामला तो यह मत्रालय के अधीन है लेकिन मैं कहना चाहूंगा कि कानून में जो धारायें बनाई गई हैं उन के पुलिस को इस प्रकार का अनुचित अधिकार मिल जाता है। मैं चाहूगा कि धारा १०७, १०९ और ११० को जिन से हमारी स्वतत्रता का अपहरण होता है हटा दिया जाना चाहिये।

इस के अलावा डिस्ट्रिक्ट मजिस्ट्रेट को दफा १४४ के अन्तर्गत जब वह यह अनुभव करे कि अशान्ति की सम्भावना है बहुत ज्यादा अधिकार दिया गया है। मैं आप से कहना चाहूगा कि कानपुर में, जहां का मैं रहने वाला हू और जहा की सेशन अदालत से मैं छूट कर आया हू, वहां पर आठ बरस से दफा १४४ लागू है। अभी सेशन कोर्ट ने उस के खिलाफ आर्डर पास किया। मै चाहूगा कि विधि मत्रालय इस की ओर ध्यान दे और जो कानून हमारी स्वतत्रता का अपहरण करते है उन को हटा दिया जाये।

एक चीज बहुत गम्भीर है। हमारे देश में प्राय कत्ल और डकैती के अपराध होते हैं। सब जानते है कि इन मामलो मे पुलिस तथ्यो का डिस्टिंग और फेब्रीकेशन करती है। मेरा सुझाव है कि पुलिस को ऐसा करने का मौका न दिया जाये। दफा १६१ की उपधारा ३ में यह नियम है कि अभियुक्त को नकलें दी जायें। मैं चाहूगा कि पुलिस डायरी और प्रथम सूचना की नकल २४ घटे के अन्दर सेशन जज के पास भेज दी जाया करे तो पुलिस को फेब्रीकेशन करने का अवसर नही मिलेगा। आजकल तो पुलिस डायरी में जो चाहती है भर भर कर भेज देती है और सुपरिंटेंडेंट पुलिस बैकडेट मे साइन कर देते है। यह बहुत गम्भीर चीज है।

मै आशा करता हू कि मैं ने जो सुझाव दिये हैं उन को विधि मत्रालय ला कमीशन के सामने पेश करेगा और उन पर विचार किया जायेगा।

Shri A. K. Sen: Mr. Deputy-Speaker

Shri Tangamani: Before the Minister begins, may I submit, Sir, in this one hour, even the points which are

brought out in the cut motions could not be elaborated by independent speakers?

Mr. Deputy-Speaker: This House has decided one hour. More minutes could not be compressed into that hour.

Shri Tangamani: I request that the hon. Minister may meet all the points covered by the cut motions though they were not developed in any of the speeches.

Shri A. K. Sen: It has been very pleasant indeed to notice so much enthusiasm for the work of a Ministry which functions rather peacefully, beyond the pale of controversy. I am very much obliged to the hon. Members of this House for introducing into the debate impartial and constructive suggestions, whether they have been on the opposite side or on this side. That is really a very significant thing so far as our Ministry is concerned. It shows that we do discharge a useful function for which our demands are very frugal. I am obliged to those who have expressed the opinion that the Law Ministry should be given more importance than it enjoys at the present moment. That is indeed a matter not for me to answer, but for others to answer. It is not a matter which is pertinent to the work of the Law Ministry.

13 hrs.

Shri Tangamani has requested me to deal with all the cut motions. I do not think it will be possible to do so within the period allotted to me.

An Hon. Member: You can take some more time.

Shri A. K. Sen: But I shall certainly try to deal with the substantial ones.

Mr. Deputy-Speaker: The difficulty is that I shall have to ring the bell and not the hon. Member.

Shri A. K. Sen: Let me now deal with the points raised in the course of the debate this morning. The hon. Member from Kerala has introduced the subject of social justice, fundamental rights, equality before the law. I do not suppose that it can be contended for a moment that the law of this country is not based on those high principles or the laws do not recognise those principles to which we all owe our allegiance. It is only necessary to quote from the Constitution the preamble which forms the basis of all laws in this country. I suppose the greatest achievement of free and independent India has been and will always be its Constitution which has given it the place of the greatest democracy in Asia and which it is for us to maintain. It is necessary again to quote the preamble of the Constitution.

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

That is the answer to the points raised by the hon. Member from Kerala; nothing more need be said.

Shri Easwara Iyer: I did not dispute that. I said that such provision having been made in the Constitution, our obligations must be consistent with that and we must develop a legal philosophy in that respect.

Shri A. K. Sen: Any law or any administration of justice which contravenes those principles will be declared ultra vires; nothing more needs be said on that.

[Shri A. K. Sen]

Regarding the question of revision of laws and judicial reforms, they are certainly urgent needs. There will be no attempt on our side to minimise the importance of those two subjects. As hon. Members are aware, the Law Commission was constituted to deal with two specific problems. The first may be described as administration of justice; the second the work of law revision The deliberations of the Law Commission on the first problem is awaiting completion and their report is expected by the end of this year. Hon. Members will no doubt be apprised of the report and I can assure them that all necessary legislation will be undertaken to expedite cheap and inexpensive justice.

Regarding statute revision, the Law Commission has upto now produced four reports on four specific subjects. They would do credit to any Law Commission in any part of the world I have myself gone through them and I have nothing but admiration for the excellent work they have done so far. I have no doubt that when their labours will be completed this country will be given a set of the finest laws which you can imagine

I would like to say a few words more on the necessity of preventing delays in the administration of civil and criminal justice and to make both cheap and inexpensive. It is true that due to various causes which it is not possible to deal with during the short spell of time allotted to me this morning, litigants have justly felt and are feeling that they have to wait for an indefinite period in getting justice, whether it is in a criminal court or a civil court. I agree with the hon. Member from the United Provinces about many of the complaints which he has given expression to this morning. He expressed a feeling which is current among the litigants in general. Whether all the complaints are true or not is a different matter, but the feeling that justice is delayed must be taken note of and serious note of. For that purpose various expedients are under examination, including the investigation of the Law Commission. Hon. Members must have read already the various steps which the Law Ministry have initiated for the purpose of formulating a set of rules or laws which would henceforward make justice speedy and cheap.

I may give a few indications here and now which are not finally decided upon, but which may be discussed by hon. Members and in future we might have further discussions on them. Take for instance, the High Courts which have been the subject of constant complaints both from the litigants as also from government departments It is not necessary again to go into the causes which have been responsible for the huge arrears which have accumulated in the different High Courts of India Nor is it necessary again to dwel on the causes which prevent expeditious disposal of cases pending before the High Courts. Hon Members are aware that most of the High Courts have been given additional judges, including the Calcutta High Court We are also contemplating the question of introducing written arguments in appellate stages. It is a complaint of litigants and sometimes of judges that there are many advocates who do not know how to make their speeches short and incisive and as a result much more time is taken up than is actually necessary to assist the courts.

Shri Easwara Iyer: Some judges sleep also

Shri A. K. Sen: It is for the Bar to pull them up A healthy Bar would always pull up a judge who sleeps. That is the tradition of the Bar and I hope the Bar will keep it up.

Mr. Deputy-Speaker: When written arguments are given they have to read them at home Who will pull them up then?

Shri A. K. Sen: Then there is the question of refusing adjournments repeatedly on flimsy grounds. Various other methods are under examination,

but no final conclusions can be reached before the report of the Law Commission is available.

Some hon. Members referred to the question of introducing administrative law, in order to reduce the work of High Courts and also civil courts. It is a matter worthy of examination, and I can assure the hon. Members that the Law Ministry is having the matter under its examination. It is too early to say yet what the conclusions of the Ministry would be, and necessarily we have also to depend upon and take into account the report of the Law Commission which may be submitted by the end of this year.

The next question raised by the hon. Member from Kerala is the separation of the judiciary from the executive. Several other hon. Members also have touched on the same question. In most of the States there is already a complete separation of the judiciary from the executive. Not always does that bring about speedy justice or inexpensive justice. The High Courts are completely free, most of the civil courts are completely free—why most, all civil courts are completely free from the executive in every manner, and yet there is delay, there are arrears, there is corruption, and litigants have to pay more than they are obliged to pay under the law for having anything done in a court of law. So, the separation of the judiciary from the executive is not always the panacea for all ills. Some other steps have to be taken into account and devised.

We have tried mostly in West Bengal—and the Law Minister of Kerala has responded to that suggestion very quickly—having combined committees of senior Judges and representatives of the Bar for each court to deal with the question of delay, corruption and other problems relating to courts, so that the primary need of meting out cheap and speedy justice to the litigants may be ensured from day to day. It is my firm conviction, and I am sure the hon. Members here will agree with me, that no court of law can function free from corruption of the administrative officers below and no court can mete out speedy and cheap justice to the litigants without the co-operation of the Bar, and the bar owes to the nation and the litigants whom they serve the duty of rendering all assistance possible to the courts in discharging the paramount duty.

The Bar in many States has responded. There have been difficulties created. Some High Courts have raised the question as to whether such committees would not be interfering with the paramount superintendence of the High Courts. Another view is possible in the matter because this has nothing to do with the superintendence of the courts. It is a matter touching on the public side of the administration of justice in which consultative committees consisting of representatives of the Bar and the Bench sit together to deal with specific complaints regarding corruption and delay. In my view that is the only way by which these two evils can be got rid of. If there is any such legal difficulty felt in the way of implementing these consultative committees drawn from the Bar and the Bench, necessary legislation may have to be undertaken, but the paramount duty of serving the public must be followed and complied with, and no technical objections can stand in the way of the implementation of these very healthy measures.

My hon. friend Shri Jaganatha Rao again has said—it is certainly very pleasing to me—that the Law Ministry has not been given enough importance. That, as I have said, is not a matter to which I should reply or should really be called upon to reply. He has also touched on administrative law. I have replied to that aspect of the matter. Then, delay in the civil and criminal courts. That has already been replied to.

He has raised the question of article 222, namely the exercise of powers by the executive in transferring a High Court Judge from one High Court to another. It certainly is a very extraordinary power. The power in its terms is unlimited and no condition is

[Shri A. K. Sen]

prescribed for its exercise by the executive, but as the executive in any democratic set-up must act responsibly, this power under article 222 must be exercised with due care and caution. Though in terms it is unlimited, and though according to its specific provisions the executive is not answerable to any one but Parliament, yet for the purpose of preserving a fearless and independent judiciary which is the greatest safeguard for preserving democratic institutions and rights, it is necessary that these extraordinary powers in the hands of the executive are exercised with due care, caution and restraint, and I am sure the hon. Members who are in favour of the executive exercising these powers would agree with me that these great powers have to be exercised very, very rarely It is only in rare cases where it becomes important for the purpose of ensuring incorruptible justice in a particular High Court that a Judge should be transferred from his Court to another, and I have no doubt that under our Constitution any executive that is entrusted with the Government of this country would observe that rule of care and caution.

The next question on which most of the cut motions have been tabled is the question regarding the work and functions of the Election Commissioner. No doubt there have been cases here and there of rules for the conduct of elections, for the preparation of electoral rolls and other relevant rules being broken. Whether the complaints are genuine or not is a different matter, but I can say this with firm conviction, and I am sure most hon. Members will agree with me, that one of the greatest things that our Constitution has achieved is the setting up of a fearless and independent Election Commission which has undertaken and carried out the work of conducting elections covering a population of nearly 400 millions of people in a country where even a few years ago our ex-rulers used to think democracy was impossible, in a country where it was freely expressed that it would be impossible to introduce universal adult suffrage. The requirements of the Constitution of giving the right of vote to every one, and the right to every adult man or woman to choose his own representative and his own Government have been admirably discharged by the Election Commission set up under the Constitution. It is not only that we feel flattered ourselves by what has been done under the Constitution by one of the integral organs of the Constitution and the Government, but it is a matter which has been very freely acknowledged by the outside world. It is only here in the whole of Asia that amongst a vast population suffering from all sorts of evils, poverty, disease, illiteracy etc., that we have set up a machinery which has during the last two General Elections successfully discharged the responsibilities demonstrated by a responsible electorate. This House, and representatives drawn from every shade of opinion from every political party worth mentioning, will speak for the efficiency with which the elections have been conducted, showing thereby that the electorate has been taught its role and that those who have run the machinery have in fact run it very very well. No law need be amended for this purpose, and no principle of ours need be changed. What is necessary is to check the evasion of laws, the breach of rules in particular instances. That is for the hon. Members here to ensure, and the different party leaders to ensure.

The question of ballot boxes, the question of voting by *purdanashin* ladies, and various other matters covered by the different cut motions have been made fool-proof by the rules. If they are observed, they are immune from any vice. But if they are not observed by those who are entrusted with the work, then like any other rule, they may break down. But I am happy to say that they have been observed universally, excepting possibly in very very rare cases.

I think that really brings me to the end of the 15 minutes allotted to me..

Mr. Deputy-Speaker: 25 minutes.

Shri A. K. Sen: I am thankful to you and the House for the indulgence extended to me, and the few kind words extended to me. I hope that the Ministry will live up to the expectations raised in the House in the course of the debate this morning.

Shri Surendranath Dwivedy: What about the specific point which I raised about the election petition?

Shrimati Renu Chakravartty: He means Rajkishore Bose's election.

Shri A. K. Sen: I am not posted with the facts of the case, because that is not the subject of any particular cut motion But I can tell the hon Member that the rules regarding election petitions are perfect and are not capable of improvement What is necessary is that those who are chosen to man the election tribunals are chosen with care and the Bar which is represented

Shri Surendranath Dwivedy: The Minister has not answered my point Perhaps, he was not here when I spoke, and he has not understood what I said

Shri A K Sen: I was here very much

Shri Surendranath Dwivedy: The High Court held that another election tribunal should be appointed

Shri A. K. Sen: I was here I have told the hon Member already that I am not posted with the facts of this case So, I cannot deal with it That was not made the subject-matter of any cut motion What the High Court has held, why it has held so are all matters which need investigation But the running of election tribunals is governed by rules of procedure, and if the personnel is chosen properly, I do not see any scope for improving the rules

If there has been any tribunal which has not done its duty, there are the appellate authorities which will set it right That is the function of the apppellate authority Even in ordinary courts, you will find cases which are remanded by the High Court, either to the same court or to a different court. But that is not a reason why the Code of Civil Procedure should be amended or the Code should be abolished Particular matters should be agitated in a particular manner I suppose if there has been any case of malpractice by the tribunal, it is a matter for a specific complaint to be addressed to the Election Commission

Mr. Deputy-Speaker: The following are the cut motions intimation of which was given at the Table

Demand No	No of cut motions
73	1132, 1133, 1134
74	1137 1138,
75	1141, 1142,

Shri Sadhan Gupta (Calcutta-East) Cut motion No 781 also may be included

Shrimati Renu Chakravartty: Yesterday, the Speaker allowed

Mr. Deputy-Speaker: I will include that also

Election Commission's proposals of new method of Marketing System of elections instead of the present one

Shri Tangamani: I beg to move

"That the demand under the head 'Ministry of Law' be reduced by Rs 100"

Delimitation of constituencies

Shri Tangamani: I beg to move

"That the demand under the head 'Ministry of Law' be reduced by Rs 100"

Appointment of retired judges on election tribunals

Shri Tangamani: I beg to move:

'That the demand under the head 'Ministry of Law' be reduced by Rs 100"

Delay in disposal of appeals pending before the Supreme Court

Shri Tangamani: I beg to move:

"That the demand under the head 'Administration of Justice' be reduced by Rs. 100."

Heavy costs for filing of appeals before the Supreme Court against the decisions of Industrial tribunals

Shri Tangamani: I beg to move:

"That the demand under the head 'Administration of Justice' be reduced by Rs. 100."

Need for the early publication of the Law Commission's Report

Shri Tangamani: I beg to move:

"That the demand under the head 'Miscellaneous Expenditure under the Ministry of Law' be reduced by Rs. 100".

Need for new legislation on criminal law, procedure and Law of Evidence.

Shri Tangamani: I beg to move:

"That the demand under the head 'Miscellaneous Expenditure under the Ministry of Law' be reduced by Rs. 100."

Need to introduce legislation for minimising delay in civil and criminal litigation

Shri Sadhan Gupta: I beg to move:

"That the Demand under the head 'Ministry of Law' be reduced by Rs. 100."

Mr. Deputy-Speaker: I shall now put the cut motions to vote.

All the cut motions were put and negatived

Mr. Deputy-Speaker: The question is:

"That the respective sums not exceeding the amount shown in the fourth column of the Order Paper be granted to the President to complete the sums necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of the following heads of Demands entered in the second column thereof, namely Demands Nos. 73, 74 and 75.".

The motion was adopted.

[*The motions for Demands for Grants which were adopted by the Lok Sabha are reproduced below—Ed.*]

DEMAND NO. 73—MINISTRY OF LAW

"That a sum not exceeding Rs. 1,00,56,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Ministry of Law' ".

DEMAND NO. 74—ADMINISTRATION OF JUSTICE

"That a sum not exceeding Rs. 1,39,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Administration of Justice' ".

DEMAND NO. 75—MISCELLANEOUS EXPENDITURE UNDER THE MINISTRY OF LAW

"That a sum not exceeding Rs. 3,65,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Miscellaneous Expenditure under the Ministry of Law' ".

MINISTRY OF TRANSPORT & COMMUNICATIONS

Mr. Deputy-Speaker: The House will now take up discussion of the

Demands for Grants Nos. 82 to 91 and 127 to 131 relating to the Ministry of Transport and Communications. As the House is aware, 9 hours have been allotted for the Demands of this Ministry.

There are a number of cut motions to these various Demands. Hon. Members may hand over at the Table within 15 minutes, the number of the selected cut motions which they propose to move. I shall treat them as moved, if the members in whose names these cut motions stand are present in the House and the motions are otherwise in order.

The time-limit for speeches will, as usual, be 15 minutes for the members including movers of cut motions, and 20 to 30 minutes if necessary, for Leaders of Groups.

DEMAND NO. 82—MINISTRY OF TRANSPORT AND COMMUNICATIONS

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 72,09,000 including the sum already voted on account for the relevant services be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Ministry of Transport and Communications'".

DEMAND NO. 83—INDIAN POSTS AND TELEGRAPHS DEPARTMENT (INCLUDING WORKING EXPENSES)

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 35,31,66,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of Indian Posts and Telegraphs Department (including working Expenses)'".

DEMAND NO. 84—PORTS AND PILOTAGE

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 36,85,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Ports and Pilotage'".

DEMAND NO. 85—LIGHTHOUSES AND LIGHTSHIPS

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 80,83,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Lighthouses and Lightships'".

DEMAND NO. 86—METEOROLOGY

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 88,84,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Meteorology'".

DEMAND NO. 87—OVERSEAS COMMUNICATIONS SERVICE

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 67,00,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Overseas Communications Service'".

DEMAND NO 88—AVIATION

Mr. Deputy-Speaker: Motion moved

"That a sum not exceeding Rs 2,07,74,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Aviation'".

DEMAND NO 89—CENTRAL ROAD FUND

Mr. Deputy-Speaker: Motion moved

"That a sum not exceeding Rs 2,49,78,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Central Road Fund'"

DEMAND NO 90—COMMUNICATION (INCLUDING NATIONAL HIGHWAYS)

Mr. Deputy-Speaker: Motion moved

"That a sum not exceeding Rs 3,34,06,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Communication (including National Highways)'"

DEMAND NO 91—MISCELLANEOUS DEPARTMENTS AND OTHER EXPENDITURE UNDER THE MINISTRY OF TRANSPORT AND COMMUNICATIONS

Mr. Deputy-Speaker: Motion moved

"That a sum not exceeding Rs 1,57,94,000 including the sums already voted on account for the relevant services be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Miscellaneous Departments and other Expenditure under the Ministry of Transport and Communications'".

DEMAND NO 127—CAPITAL OUTLAY ON INDIAN POSTS AND TELEGRAPHS (NOT MET FROM REVENUE)

Mr. Deputy-Speaker: Motion moved

"That a sum not exceeding Rs 14 45,18,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Capital Outlay on Indian Posts and Telegraphs (not met from Revenue)'"

DEMAND NO 128—CAPITAL OUTLAY ON CIVIL AVIATION

Mr. Deputy-Speaker: Motion moved

"That a sum not exceeding Rs 1 67 77,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March 1958, in respect of 'Capital Outlay on Civil Aviation'"

DEMAND NO 129—CAPITAL OUTLAY ON PORTS

Mr. Deputy-Speaker: Motion moved

"That a sum not exceeding Rs 3 12 08,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Capital Outlay on Ports'"

DEMAND NO 130—CAPITAL OUTLAY ON ROADS

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 8,45,83,000 be granted to the President to complete the sum

necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Capital Outlay on Roads' ".

DEMAND NO 131—OTHER CAPITAL OUTLAY OF THE MINISTRY OF TRANSPORT AND COMMUNICATIONS

Mr. Deputy-Speaker: Motion moved

"That a sum not exceeding Rs 11,52,92,000 including the sums already voted on account for the relevant services be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1958, in respect of 'Other Capital Outlay of the Ministry of Transport and Communications '

Shrimati Renu Chakravartty (Basirhat) Under the Ministry of Communications, I shall confine my remarks to the Demand under the head 'Aviation'

Actually for the last four or five years almost every year, I have been raising the question of the Civil Aviation Department the Indian Airlines Corporation and also the Air India International We find that most of the basic problems about which we have spoken in this House again and again have not been attended to at all by the Ministry during these five years So I wonder whether it is any use our debating upon these Demands for Grants at all

This year, we are discussing the Demands of this Ministry under the shadow of the strike notice which has been given already by the Civil Aviation Department employees' Union I feel that if during the course of these five years, the various demands, and very legitimate demands, which had been placed before the Ministry had been attended to by them, not only would our services have been better, but even this strike notice would not have come about

For instance, at the time of the first Pay Commission, this Department was absolutely in its infancy There were hardly 23 aeronautical communication stations, and 27 aerodromes at that time But after Independence, today, we have developed this Department to such an extent that we have got 67 aeronautical communication stations and 70 aerodromes, we have seven institutional centres, we have a training establishment, we have a stores department, a radio construction and development organisation and so on All these have since come into being Since 1954, we have indented for the latest technical equipment, radar equipment and so on, and as a result, highly trained hands have now come into this organisation

At the time of the first Pay Commission, the employees of this Department were not even able to represent their case before the Pay Commission, with the result that in many cases, as for instance, in the case of radio technicians and operators the pay-scales were reduced from what they were earlier in the British days So, it is a very legitimate demand that the service conditions of these people should be looked into, for this is a Department which works under certain special conditions

For instance, the living conditions of these people are very different from officers They live in remote places far from the cities and aerodromes, and they have hardly any connection with the cities There are few public transport facilities for them Medical aid also is very difficult to get at The schooling of their children is a problem which has been discussed in this House again and again

It was said that transport was going to be provided for them Even in a small matter like this, in spite of the promises held out on the floor of this House, it is only in a very few aerodromes and places of work that this facility has been extended to the workers

Then, there is the question of the hours of work

That has been a long-standing dispute regarding the employees working round the clock all the 365 days.

[Shri Mathi Renu Chakravarty]

Shri Raj Bahadur knows it very well I myself have raised it four times during the last five years We have been told by calculation of hours that they get 36 hours and 24 hours in between But a man who goes for duty this morning at 7 goes back again to duty tomorrow in the evening at 7 This is how 36 hours are calculated But if a man wants to go for the week-end, it is not possible for him to take that day off, because he is again on duty in the evening

The workers have even said this, 'you arrange our time-table, do anything you like, we are prepared to follow the schedule, but we desire to have one day off in the week. We do not want to work 365 days in the year' I think this a very very legitimate thing and this is a point which, with just a little arrangement, can be met

Then again, there is the question of chowkidars—class IV staff We all talk about it What has happened? The question of their hours of work has been debated on the floor of this House again and again At one stage I remember the Minister—I do not know whether it was Shri Raj Bahadur or whether it was the Minister—saying that this is a matter about which we have agreed and we are going to reduce the hours

Again there is the question of three categories among chowkidars, the casual, the intermittent and some other, I think 'alert staff' or something like that One cannot understand what is meant by this intermittent' category Is it that those who are not on the 'alert' category and are in the intermittent category will have a few hours of work and again they will go off for a few hours, according to the Rajadhyaksha Report, or is it that they will have to continue on duty and they would still form this intermittent category?

13-32 hrs

[SHRI BARMAN *in the Chair*]

One can understand what is meant by the 'casual' category but as regards 'intermittent' category, one has to be clear as to what is the meaning of it.

These are small points, but they have been left unattended to; year after year, things have come up and been discussed Sometimes the Minister has agreed Then we hear that the whole thing is held up We are told sometimes that this Ministry has agreed to it but the Home Ministry has held it up Up to what point, up to what limit can we go on discussing these things? And then the whole matter is reopened in the next year and the only occasion on which we are allowed to discuss these things is when the budget demands come up for discussion

Therefore, I feel that there is a very good case for these people to put their case before the Pay Commission Let the Pay Commission decide whether the Demands made by these people are legitimate or not

I myself have been to many of the aerodromes in the Assam area This is an area which is the most paying so far as the IAC goes And what is the position regarding the Civil Aviation Department employees there? Every year, as I go through the budget estimates and budget demands, I find that allocations have been made for construction of quarters Now, it is no doubt true that in places like Dum Dum during the last five years we have put up some very good houses But as far as the very far places are concerned, as for example, a place like Mohanbani what is the position? I am sure the new Deputy Minister knows that in places like Mohanbam there is hardly any other place where the civil aviation employees can live except the jungles So unless you put up quarters for them where are the civil aviation department employees going to live?

Again I find that this year there is an allotment for it But I do not know whether this year construction of quarters will be undertaken in Mohanbani, because I believe the PWD is not interested as they are not

able to get the middleman's profit since they have to cart all the goods over long distances. If that is so, the department has directly to undertake the construction itself.

There is also the question of school buildings. Every year, we have allocated some funds for building schools But as far as I know, there are no school buildings built as yet in any of even the major aerodromes—if I am incorrect I hope the Minister will correct me.

Now, I shall also take up the question of lack of planning in some of the buildings. For instance, there is a new terminal building in Santa Cruz This was built for air conditioning; the whole building plan was such with very few floors and windows. Now because of foreign exchange difficulties, air conditioning is not coming. But our best equipment is going to be put up there. It will be impossible for the workers to work in such a designed house without air conditioning. The seating arrangements are such that it is most uncomfortable for the workers to work Now we have no foreign exchange for air conditioning.

I would at least beg of the Minister to take away some of the air conditioning equipment from the Secretariat here and put it there, because the technical equipment which we have there is more precious to us than the comfort of our Ministers Of course, I do not want to take away comfort from the Ministers, but I want to just a little minimise their comfort and that of our officers, so that that equipment goes there. I think there is no harm in that. So I hope that this new terminal building will have the air conditioning plant which is so necessary from the technical point of view.

I do not want to go further into the question of the civil aviation department employees because I am sure the new Minister, who has come, will look into it. I hope he will do something about these major issues. I have not raised at all the question of the pay structure, because that is a very very intricate matter. Most of the civil aviation department employees have been recruited round about 1947 or 1948 and they have all reached the maximum of their promotion. All the high cadres are directly recruited. Now, those who have to retire in 10 or 15 years are at a standstill, they have no means of further promotion. These are very serious things.

I think as far as the civil aviation department employees are concerned, they work more efficiently and under worse conditions than those who handle such technical equipment, say for instance, in the army. I know the army will be called in which a strike occurs. But I can assure you that a radio operator working in the conditions of the civil aviation department is working in a far worse condition than a man handling similar equipment in the army, and this army man, who has various other subordinates, will be handling one machine which the boys of the civil aviation department will be handling alone.

So you cannot say that this is a department in which the employees are not working but are demanding more This department is, to my mind, one the staff of which has the most legitimate right to ask for a revision of their pay scales.

Now I go on to the Indian Airlines Corporation and Air India International The Air India International is showing a surplus, but the Indian Airlines Corporation, as ever is showing a deficit. Many of us on this side who have been interested in this particular department, have seen the stages right from the beginning, with the nationalisation Bill, up to date. We have always advocated that there should be some sort of one corporation. But that was not accepted. Now the Estimates Committee has more or less appreciated many of the things and policies carried out by Air India International. I feel some sort of a Board should be constituted which would make available to the

[Shrimati Renu Chakravartty]

Indian Airlines Corporation and its high executives some of the experience which has earned rich dividend for Air India International Each should be able to learn through the other

I do not go very much into the details about this Board and the Indian Airlines Corporation itself as constituted The Estimates Committee has gone into it very thoroughly and it has recommended the type of manager we want, the type of Board we want etc

But what I want to point out is that after nationalisation, we hear criticism that it is because of nationalisation that all our ills have come about But we, as persons who have supported nationalisation always, feel very much concerned when people who are always opposed to nationalisation are in a position to really blacken nationalisation by the figures which we produce every year showing that the expenses are going up every year

Now, the hours flown have increased, the miles flown have increased, passenger traffic has increased, freight carried has increased and mails carried have increased—and the deficit has also increased This is the position that we are faced with I am happy of course to see that the deficit is a little less this year than it was last year, but still we have no place for complacency

One thing of course, I do want this House to appreciate because I have noticed that from one quarter consistently there has been an attempt to show that nationalisation is the reason why there has been so much loss in the Indian Airlines Corporation I want to put one thing very clearly that from the basic figures have to be deducted the amount which we have spent on fuel I do not say there has been economy on fuel but the basic price structure is a matter which has been debated upon in this House I suppose we are practically controlled by the international world monopoly of the Americans and the British in the oilfields We will not be able to reduce the rates But there is the other thing which the Estimates Committee has very correctly pointed out. That is the question of the amount of excise duty which we pay and the amount which State Governments have deducted from us by way of sales tax, and it should be taken note of by this House If the total is taken, we will find that while we incurred a loss of Rs 119 lakhs the Exchequer gained to the tune of Rs 96 lakhs

Even before nationalisation took place, I remember the Government of India used to subsidise the private companies to a very large extent—I do not remember the percentage, whether it was 100 per cent or less—on fuel A very wise recommendation has been made by the Estimates Committee which, I hope, this Ministry will press with the Cabinet or with the Finance Ministry or the Ministry concerned that we should lower the incidence of taxation on fuel which is used by the Corporation That, I think, is a very wise suggestion made by the Estimates Committee, because, without that, this constant showing of huge deficit really reduces the morale Immediately, there is a hue and cry that because private enterprise has been stifled and nationalisation has taken place, we are incurring huge losses People forget that these Tatas, these Birlas and these Bharat Airways were subsidised by the Government earlier That is only the bright side of the picture

But the other side is that one of the most difficult things to understand is the way we have been indenting aircraft Even at the time when nationalisation took place, we pointed that most of the aircraft which were being taken over were aircraft which were very old and that the amount of compensation was too much The Estimates Committee has also pointed out how inflated figures were given and they have warned us against it This warning was, of course, given from this side of the House much earlier but I am afraid the Treasury Benches were

puffed up so much with their own importance that they were thinking that what were saying was not worth considering. I do not gloat over that fact. But, I do feel that we have taken over these Dakotas at higher prices.

Secondly, immediately after that we went in for Skymasters. At that very time, I remember, many people said that Skymasters are very big aircraft and unless you have long distances to fly, they will not be economic. We took them over. We could have continued with the Dakotas. There is a statement made by the Estimates Committee. I think the authorities said that the choice was wither to continue with the Dakotas until we got a suitable medium size aircraft or to change and take over to Skymasters. I would have said that it is better we had continued with the Dakotas, and with a little amount of patience and foresight we chose an aircraft that would have been suitable. We have the Skymasters now. If we go through the amounts that we have been spending, you will find that the cost at every stage is more; the landing cost is more, the fuel consumed is more and the Skymasters have been responsible for the greater losses we are showing in our Budget estimates. The hon. Minister need not shake his head. It is there in the Estimates Committee's report.

Then, I come to the Herons. I took up this question last time itself and it has been admitted by the Minister. But what is most amazing is this. How is that our officers rush to England every now and then, to European countries now and then and spend so much money—God alone knows—and then we indent machinery. Immediately on landing in India there is a magic that they start becoming bad. The D.G.C.A. said that it is one of the best aircraft but when it came here it did not work. The same thing with regard to the crusher, the giant crusher that came to Maithon but which worked only for 18 days out of 100. So, we have been getting machinery that is not useful for the purpose they will put to.

Now, we are going to indent Viscounts. I would very humbly put it to the House: Is it the time for this when we say we are badly in need of foreign exchange? As regard the Air India International, we are told we have to compete in the world market and that we cannot afford to lose our market and therefore we must indent for new machines. The I.A.C. is internal and generally people who ride them are people who are supposed to be used to the bad things in life, uncomfortable things in life. We want that they should have the best; no doubt about it. But poor people cannot be choosers. Already our Ministers have spent money in such a way during the last few years that now we must put up with a certain amount of economy. Still I do not see why it was necessary to take up these Viscounts. We are told that they would be very useful in the long run and very cheap. We are told that for our Dakotas which are useful now, spares are not available. We were told some 5 years ago that we had enough of spare parts, enough for 10 years Have they suddenly disappeared. It appears to me that we could have used these Dakotas a little more and we need not have spent these crores worth money on Viscounts just now.

I was in Europe only the other day and there I saw a number of our young boys who are there for training I am glad that they are coming back with a knowledge of the latest scientific knowledge of Viscounts. But, I would ask whether it was necessary at this stage to send them there or purchase these aircrafts. Could we not have delayed this matter about which I have grave doubts.

I will not go very much into the question of Jets which are intended for the A.I.I. That will need pre-planning because our fields will have to be extended. I believe there is a new item in which you have stated that they are extending the air-fields at Palam

[Shrimati Renu Chakravartty]

and Santa Cruz, Bombay. That has not been undertaken and, I think before the time they are completed, by 1980, the Jets will be here. Will they try to co-ordinate the two?

What are we going to do with the extra machinery which we have already got. That will have to be sold now. Let us take the warning of the Estimates Committee to see that we get the best value for our older machines. Let us try to dispose of them to our benefit.

If I had the time I would also like to mention very many serious wrong things go in on in the A.I.I. regarding stores purchase. This is a section of the Aviation industry which is working and as yet showing a surplus. But, I would like the Minister to go into the various kinds of corruption that are taking place in the matter of stores purchase. I have not got the time but I have got enough material to speak for even two hours in this House.

How are stores being purchased usually? We have a Stores Purchase Mission in England and one in U.S.A. All these are being by-passed. Our officers go there and they just indent directly. Even the Tatas had been purchasing machinery for the A.I.I. earlier. That too is by-passed and many wrong things are going on which have to be looked into. If we keep an eye on the stores purchase which would cost lakhs and lakhs of rupees as far as the A.I.I. is concerned, I am sure we will be able to make a saving of a good bit of amount. I hope the entire machinery will be tightened up regarding the Stores Purchase Department.

I would also like to mention a point about one of the items showing an increase in expenditure, General Administration. Under 'General Administration', you will see the figures have gone up very much. Of course, they would say in regard to this that there has been rationalisation of wage structure. But that was last year; there was an increase in the salaries and allowances. This year the amount which has gone up is much less. But I feel that we have come to a stage when we should think of bringing about much more rationalisation about our operational organisations. This is a thing which the Estimates Committee has rightly pointed out—and I myself half—whether we should have Delhi as headquarters or not. It will take time for me to find out the page, but the figures show that if the capacity for flying is 44 at Calcutta it is only 12 for Delhi. I think that is so, if I am not very much mistaken. If that is so, what is the reason why we should have Delhi as the headquarters. Besides, we are putting up a huge construction next to Radio House—in Parliament Street at a cost of three lakhs of rupees and we will spend much more on it. All the expert committees say that it is not necessary for us to have the headquarters here, yet we continue with the scheme. It is an independent corporation. It is running the airlines and it should be where the traffic is heavy. There are many routes managed by the Air India International and then why not we manage it from Calcutta or Bombay where the traffic is heavy? Why should we have the headquarters here in Delhi? We speak of decentralisation and say that many offices should go outside Delhi but we want to have the headquarters in Delhi itself and thus spend large sums of money.

I shall not mention many other points since you have rung the bell. There is only one small point about the booking agency commissions. When discussion on nationalisation took place, both in the Select Committee and also here, we urged that the booking agencies were numerous. What used to happen was this. Bharat Airways would be functioning and some other small company inter related would be the booking agency. So, they would make on the commission of booking agents. The figures show that the amount that has been paid as commission in 1966-66

is about Rs. 20,39,000. That is one of the big items of expenditure taking away a sizable percentage of revenue. Very wisely the Estimates Committee, have said that we should reduce the number of booking agencies and try to improve the methods of publicity, etc. and try to integrate it with that of Air India International, so that expense should be reduced. It is a huge amount. I think this will not affect our traffic. It is a monopoly.

These are some of the suggestions and criticisms which I offer because I feel that the Indian Airlines Corporation has done well since its birth. It has increased its passenger traffic, etc. I could have gone into the question more about the non-schedule traffic which is now going on in Assam. More goods are carried by non-schedule traffic, more than fifty per cent. The report of the Estimates Committee refers to it. We must make our Indian Airlines Corporation something worthy of nationalisation. Give the good-will of the workers and the management. I am sure we shall make nationalisation effective and put a stop to all the criticisms that have been coming from certain sections of the House.

श्री रघुनाथ सिंह (वाराणसी) : सभापति महोदय, सब से पहले मैं दोनों मन्त्रियों को धन्यवाद देना चाहता हूं कि लोक-सभा के प्रस्ताव का आदर करते हुए ट्रान्सपोर्ट और रेलवे को दो अलग विभागों मे बाट दिया गया है और शिपयार्ड को ट्रान्सपोर्ट मे सम्मिलित कर दिया गया है । साथ ही साथ डियन शिपिंग कम्पनी, हिन्दुस्तान शिपिंग यार्ड तथा ईस्टर्न शिपिंग कारपोरेशन के जो उत्साही अधिकारी है उन को भी मैं धन्यवाद देना चाहता हूं । बम्बई में जो इंजीनियर्स को ट्रेनिंग देने वाला सैंटर है, वहां से इस साल ६७३ इंजीनियर्स को ट्रेनिंग दी गई है और इतनी अधिक संख्या मे ट्रेनिंग दिये जाने पर मैं उस संस्था को भी धन्यवाद देना चाहता हूं ।

जहां तक शिपिंग का ताल्लुक है आप देखेंगे कि हम लोगों ने बहुत कम प्रगति इस सम्बन्ध में की है । शिपिंग के प्रश्न को दो दृष्टियों से देखना होगा, एक तो वाणिज्य की दृष्टि से और दूसरे सुरक्षा की दृष्टि । यह कहा जाता है कि शिपिंग सैकिंड लाइन आफ डिफेंस है क्योंकि अगर कोस्टल शिपिंग न होता तो इंग्लैंड की रक्षा असम्भव थी । जहां तक कोस्टल शिपिंग का सवाल है हम स्वावलम्बी हो गये है और हमें और आठ जहाजों की आवश्यकता है । लेकिन जहां तक ओवरसीस ट्रेड का सम्बन्ध है हमारी अवस्था अत्यन्त शोचनीय है । ओवरसीस ट्रेड का केवल पांच सैकड़ा ट्रेड भारतीय जहाजों द्वारा होता है । आप देखें कि सन् १९४८ में इस दुनिया में आठ करोड़ टन के जहाज थे । सन् १९५६ में, केवल आठ बरसो के अन्दर, १०५ करोड़ टन के जहाज हो गये । अर्थात् आठ बरस में दुनिया ने १७ गुना तरक्की की है जबकि हमारे पांच साला प्लान के अन्त में हमारे पास केवल करीब ६ लाख टन के जहाज थे । इस का मतलब यह हुआ कि दुनिया ने तो १४ सैकड़ा तरक्की की जबकि हम ने केवल २ सैकड़ा तरक्की की । इस अवस्था को ठीक नहीं समझा जा सकता है ।

दूसरे प्लान के अन्त में यह कहा गया है कि ९ लाख टन जहाज हमारे पास होंगे अर्थात् पांच बरस में तीन लाख टन जहाज हम और बनावेंगे । अब आप देखें कि वर्ल्ड के यार्ड में १९४८ में ८ लाख टन जहाज बने थे लेकिन आज सन् १९५७ में मार्च के महीने में वर्ल्ड के शिपयार्ड ८३ लाख टन जहाज तैयार कर रहे हैं । मैं आप के सामने जापान, जर्मनी और इटली के उदाहरण पेश करना चाहता हूं । इन देशों के उदाहरण मैं विशेष तौर से इसलिये पेश करना चाहता हूं कि ये तीन देश ध्वंस हो गये थे, बरबाद हो गये थे जबकि हमारा हिन्दुस्तान बरबाद नहीं हुआ था और कितनी तरक्की इन देशों ने शिपिंग के मामले में की है और कितनी भारत ने की है । वर्ल्ड में जितने जहाज इस समय बन रहे हैं, उस का २७ सैकड़ा

[श्री रघुनाथ सिंह]

जापान तैयार करता है । इस साल जापान ने १७ लाख टन जहाज बनाये हैं जबकि पार साल ९ लाख टन तक बनाये थे । वर्ल्ड के टनेज का १७ प्रतिशत केवल जर्मनी के शिपयार्ड्स में तैयार होता है । पार साल उस ने १० लाख टन तक बनाये थे जबकि इस साल उस ने उस में ७१,००० टन की बढ़ोतरी कर दी है । इटली ने ३,५८,००० टन के जहाज पार साल तैयार किये थे और इस साल पिछले साल की अपेक्षा १,९०,००० टन ज्यादा तैयार हो रहे हैं ।

अब आप दूसरी तरफ देखिये । हमारे जो आदर्श मुल्क हैं, अमरीका और यू० के०, उन को देखिये । यू० के० का जो शिपिंग है, उस को अगर आप देखेंगे तो आप पायेंगे कि उस की टेडेंसी डाउनवर्ड है । वर्ल्ड के जितने जहाज हैं उस का केवल १४ सैकडा यू० के० अपने यहां तैयार कर सका है ।

अब आप जापान की मिसाल को लें । युद्ध के पूर्व जापान के पास ६० लाख टन जहाज थे जबकि युद्ध के पश्चात् उस के पास १० लाख टन जहाज हुए । इस समय उस के पास ४० लाख टन जहाज हैं । जर्मनी के पास इस समय ३२ लाख टन जहाज है जबकि युद्ध के पश्चात् उस के पास केवल ७५,००० टन जहाज थे, अर्थात् एक लाख से भी कम जबकि युद्ध के पूर्व उस के पास ४२ लाख टन जहाज थे । इटली के पास इस समय ४२ लाख टन के जहाज हैं जबकि युद्ध के पश्चात् उस के पास ३,५०,००० टन के जहाज थे और युद्ध से पूर्व ३४ लाख टन के जहाज थे । अब आप भारतवर्ष की अवस्था देखें । युद्ध के पश्चात् सन् १९४८ में उस के पास ३,५०,००० टन जहाज थे और आज दस वर्षों के पश्चात् हमारे पास करीब छः लाख टन के जहाज हैं । अब हमें देखना यह है कि हम क्यों तरक्की नहीं कर रहे हैं । आप को यह देखना होगा कि जहाजों का जहां तक सम्बन्ध है, इस का सम्बन्ध मिक्स्ड इकोनोमी से है, प्राइवेट तथा पब्लिक दोनों सैक्टरों से इस का सम्बन्ध है । हमें अपने सामने जो उदाहरण रखना होगा वह जापान का, जर्मनी का तथा इटली का रखना होगा । मैं आप को बाजील का भी उदाहरण देना चाहता हूं । सब जगहों पर जहाजों के बारे में पहले से ही प्लानिंग कर के काम किया जाता है, लेकिन हिन्दुस्तान में जहाजों के विकास के लिये कोई प्लान नहीं है । हम ने पहले तथा दूसरे प्लानों में कुछ थोड़ी सी रकमें इस काम के लिये निश्चित कर दी थीं । मैं कहता हूं कि शिपिंग की उन्नति के वास्ते हमारे सामने एक डेफिनिट प्लान होना चाहिये । जापान के यहां १३वां प्लान चल रहा है । एक बरस के लिये उन का एक प्लान होता है । इटली के पास प्लान है । ब्राजील ने १० बरस के लिये अपना प्लान तैयार किया है । इन के अलावा आप देखेंगे कि पाकिस्तान जिस के पास १,३०,००० टन के जहाज हैं इस बार उस ने भी एक शिपिंग कारपोरेशन स्थापित किया है और मैं समझता हूं कि दो बरस के बाद पाकिस्तान के पास हम से भी ज्यादा जहाज हो जायेंगे । इस के साथ ही साथ आप चीन को लें । चीन की मिसाल मैं इसलिये देना चाहता हूं कि वह एक कम्युनिस्ट मुल्क है । सन १९४९ में अर्थात् युद्ध के चार बरस बाद ३,०५,००० हजार टन के जहाज चीन के पास थे जबकि आज चीन के पास ११ लाख टन के जहाज हैं । चीन ने अपना जो फाइव यीअर प्लान बनाया वह १९५३ में बनाया जबकि हम ने अपना प्लान को सन् १९५२ में बनाया । चीन तो हम से आगे निकल गया और हम जहां के तहां रह गये ।

14 hrs.

फ्रांस ने भी अपने यहां एक प्लान बनाया है जो सन् १९६३ तक के लिये है । लेकिन हिन्दुस्तान में शिपिंग की तरक्की के वास्ते हम ने कोई प्लान नहीं बनाया ।

अब आप सोचें कि भारतवर्ष की तरक्की कैसे होगी । इंग्लैंड ने इस बात को देखा और अभी एक महीना हुआ जब इंग्लैंड की पार्लियामेंट में वहां के चांसलर आफ एक्सचेकर ने यह कहा था "Unique step for unique industry which is the life line of our country" और यू० के० जहां पहले २० परसेंट देता था, वहीं यू० के० आज ४० परसेंट अलाउंस जहाजी कम्पनियों को दे रहा है । वही शब्द जो यू० के० के एक्सचेकर साहब ने कहे वही शब्द हमारे देश के लिये भी कहे जा सकते हैं कि unique step for unique industry, which is the life line of our country आज दुनिया के बाहरी देशों से हम अपना सम्बन्ध खैबर पास से या ईस्ट बंगाल की तरफ से स्थापित नहीं कर सकते । हम शिपिंग के द्वारा ही अपना सम्बन्ध शेष दुनिया से स्थापित कर सकते हैं और हमारे देश के वास्ते भी शिपिंग उस की लाइफ लाइन है । यह स्पष्ट है कि अगर हमारे देश में शिपिंग नहीं होगी, तो विदेशों में हमारा कोई सम्बन्ध नहीं रह पायेगा और यदि अभाग्यवश हमारे देश पर कोई आक्रमण होता है तो कोई भी बाहरी देश हमारी सहायता नहीं कर सकेगा । हमारा वही हाल होगा जैसाकि पोलैण्ड का जर्मनी द्वारा उस पर आक्रमण के समय हुआ था । पोलैण्ड पर जब जर्मनी का आक्रमण हुआ तब अमरीका और इंग्लैंड कोई भी उस की सहायता नहीं कर सका क्योंकि सहायता हो नहीं सकती थी । अब आप पूछेंगे कि हिन्दुस्तान की शिपिंग की तरक्की क्यों नहीं हो रही है । मैं उस के लिये यह कहूंगा कि हिन्दुस्तान जिस को कि मिक्सड एकोनामी में रक्खा गया है, उस की तरक्की के रास्ते में चार चीजें बाधक हैं और अगर हम उन चार चीजों को दूर नहीं करेंगे तो हिन्दुस्तान के शिपिंग व्यवसाय को हम ठीक नहीं रख सकेंगे । और वे चार चीजें हैं वेल्थ टैक्स, कपिटल गेन्स टैक्स. इनकम टैक्स और कारपोरेशन टैक्स । अब मैं आप को बतलाना चाहता हूं कि इटली में शिपिंग इनकमटैक्स फ्री है, इंग्लैण्ड में कारपोरेशन टैक्स नहीं है । वहां पर वेल्थ टैक्स नहीं है और कैपिटल गेंस टैक्स नहीं है । आप हिन्दुस्तान के शिप्स को जब इंटरनेशनल मार्केट में कम्पीट करने के वास्ते भेजते हैं तो वहां तो हर एक देश के जहाजों में कम्पीटीशन होगा और जाहिर है कि जिस के जहाज अच्छे होंगे, उन से सौदा किया जायेगा और उस मौके पर आप यह नहीं कह सकते हैं कि हम एक पुअर कंट्री हैं, हम एक गरीब मुल्क हैं। लिये हिन्दुस्तान के जहाजों का प्रयोग करें । वहां तो मार्केट में कम्पटीशन है और जिसका सौदा अच्छा होगा, जिस का जहाज अच्छे तरीके से काम करेगा उस का बिकेगा और उस को आमदनी होगी । अगर हिन्दुस्तान के पास अच्छे जहाज नहीं हुए तो वह दुनिया के मार्केट में कम्पीट नहीं कर सकेगा । उस हालत में हिन्दुस्तान वाले जर्मनी, इंग्लैंड आदि देशों की शिपिंग कम्पनीज से मुकाबला नहीं कर सकेंगे जब तक कि यह चारों टैक्स मौजूद हैं । अब उस के वास्ते आप कहेंगे कि वेल्थ टैक्स का क्या असर पड़ेगा और १ करोड़ रुपया शिपिंग कम्पनीज को वेल्थ टैक्स में देना होगा । मैं आप को बतलाना चाहता हूं कि कैपिटल गेंस टैक्स का यह असर होगा कि एक जहाज को जिस का कि जीवन २० वर्ष का होता है, २० वर्ष में जहाज पुराना हो गया और उस को हमें बेचना पड़ेगा और जब उस जहाज को हम बेचेंगे तो उस की आमदनी पर कैपिटल गेंस टैक्स देंगे । इटली ने जहाजों की आमदनी को इनकम टैक्स से फ्री किया और आप ने देखा कि शिपिंग में इटली ने कितनी उन्नति की । वहां यह किया गया कि पूंजीपति जो भी रुपया जहाजी व्यवसाय में लगायेंगे उस रुपये पर इनकम टैक्स नहीं लगेगा और इस का परिणाम यह हुआ कि इटली और जापान के पूंजीपतियों ने दिल खोल कर

[श्री रघुनाथ सिंह]

शिपिंग में अपना रुपया इनवेस्ट किया। वहां शिपिंग के ऊपर कोई इनकम टैक्स नहीं लगता, कोई टैक्स उस के ऊपर नहीं लगता, गवर्नमेंट उन को सबसिडी देती है और इसी का यह परिणाम है कि इन तीनों देशों क शिपिंग व्यवसाय ने काफी तरक्की की है लेकिन हमारे वहां श्री लाल बहादुर शास्त्री और श्री राज बहादुर क्या कर सकते हैं जबकि श्री टी० टी० कृष्णमाचारी उन के ऊपर बैठे हैं, उन को तो वेल्थ टैक्स चाहिये, कैपिटल गेंस टैक्स चाहिये, कारपोरेशन टैक्स चाहिये और इनकम टैक्स चाहिये। मैं यह चेतावनी देना चाहता हूं कि इन चारों टैक्सों से तो इस देश का जहाजी व्यवसाय ही डूब जायेगा।

अब आप देखेंगे कि हमारी द्वितीय पंचवर्षीय योजना में जहाजी व्यवसाय के लिये ३७ करोड़ रुपया रक्खा गया है। वह ३७ करोड़ रुपया साल भर के अन्दर खर्च हो गया। उस ३७ करोड़ रुपये में से १७ करोड़ रुपया तो आप ने प्राइवेट सेक्टर को दिया और २० करोड़ रुपया आप ने पब्लिक सेक्टर को दिया। अब आप देखिये कि इंग्लैंड ने उस के बरअक्स क्या किया। इंग्लैंड ने ४० परसेंट रिबेट एलाउन्स दिया। जापान में कमर्शियल बैंक अलग शिपिंग कम्पनीज को लोन देते हैं और गवर्नमेंट अलग से उन को लोन देती है। करीब ६० परसेंट सरमाया वहा की शिपिंग कम्पनीज को बैंकों और गवर्नमेंट से मिलता है और उसी का यह परिणाम है कि आज जापान दुनिया में २७ परसेंट जहाजों का उत्पादन करने में समर्थ हो सका है। हमें उन की एग्जाम्पिल फालो (उदाहरण अपनानी) करनी चाहिये।

अब जहा तक रजिस्ट्रेशन का सम्बन्ध है उस के बारे में मेरा यह कहना है कि पनामा, लाइबेरिया, होंडारस और कोस्टरिका छोटे-छोटे देश जिन की कि आबादी शायद हमारे यहां के दो जिलों के बराबर होगी, क्या कारण है कि लाइबेरिया में शिप्स का रजिस्ट्रेशन बढ़ गया है। लाइबेरिया में १५ लाख ८२ हजार टन के जहाज इस साल वहां पर रजिस्टर हुए हैं जबकि इंग्लैंड में केवल १० लाख टन के जहाज रजिस्टर हुए। इंग्लैंड की जो शिपिंग कम्पनीज हैं, उन में से बहुत सी कम्पनीज अपने जहाजों का रजिस्ट्रेशन पनामा, लाइबेरिया आदि देशों में कराती है और वे इसलिये वहां पर कराती है ताकि उन को टैक्स न देना पड़े। अब मैं आप से पूछना चाहता हूं कि अगर हिन्दुस्तान की शिपिंग कम्पनीज पनामा में और लाइबेरिया में रजिस्ट्रेशन कराना शुरू कर दें तो आप कहां रहेंगे? क्योंकि जिस देश में रजिस्ट्रेशन होता है उस देश का उन शिप्स पर कंट्रोल होता है? अब स्वय इस बात का अन्दाजा अच्छी तरह से लगा सकते है कि अगर यहा की शिपिंग कम्पनिया उन छोटे छोटे देशों में अपने शिप्स का रजिस्ट्रेशन कराना शुरू कर दे तो आप के लिये क्या समस्या पैदा हो जायेगी। इंग्लैंड और अमरीका अपनी इस कोशिश में असफल रहे कि उन के तमाम शिप्स का रजिस्ट्रेशन इंग्लैण्ड और अमरीका के अन्दर ही हो और हम ने देखा कि उन देशों की छोटी छोटी शिपिंग कम्पनियां उन छोटे छोटे देशों मे रजिस्ट्रेशन करा रही हैं। मैं चाहता हूं कि आप हिन्दुस्तान के दरवाजे खोले, फ़ारेन रिफ़ाइनरीज के अन्दर हिदुस्तान के दरवाजे खोले, ४ करोड़ रुपये के स्थान पर आप ने १२ करोड़ रुपये फ़ारेन रिफ़ाइनरीज के वास्ते खर्च किये और आप क्यों नही दरवाजा शिपिंग के लिये खोलते? ऐसा होने से बाहर के देशों की शिपिंग कम्पनियां भी अपने जहाजों का रजिस्ट्रेशन इस देश में कराने लगेंगी और ऐसा होने से यह आप की फ़ारेन एक्सचेंज की समस्या अपने आप से हल हो जायेगी। आप फ़ारेन शिपिंग कम्पनियों से पार्टिसिपेशन कीजिये,

कोलैबो-रेशन करने के लिये मैं नहीं कहता। आप ने अपनी पालिसी यह ले डाउन की हुई है कि २५ परसेंट तक फारेन इनवेस्टमेंट हो तो ठीक है, मैं कहता हू कि आप ४९ और ५१ परसेंट पर क्यों नही जाते। ४९ परसेंट फ़ारेन कम्पनी को दीजिये और ५१ परसेंट अपना रखिये। मैनेजिंग एजेंट्स अपने रखिये और मेजारिटी आफ डाइरेक्टर्स अपने रखिये। रजिस्ट्रेशन का उन को मौका दीजिये, आप को यह फारेन कम्पनिया रुपये के स्थान पर शिप्स देगी और उन पर आप का कट्रोल रहेगा और अगर कोई लडाई छिडती है तो यह जहाज आप के काम मे आयेंगे और आप का टनेज बढेगा और आप का रुपया बढेगा। इस वास्ते मै कहता हू कि पनामा, लाइबेरिया आदि छोटे देशो की शिप्स रजिस्ट्रेशन की पालिसी को हिन्दुस्तान को भी अपनाना चाहिये। एसा करने से दूसरे देश की शिपिग कम्पनीज यहा आ कर अपने शिप्स को रजिस्टर करायेगी श्री टी० टी० कृष्णमाचारी कहते है कि फारेन कैपिटल को हम एनवाइट करते है तो मेरा कहना है कि आप फारेन जहाजी कम्पनीज को क्यो नही एनवाइट करते, उन को अपने देश मे आने दीजिये वह आप का धन ले कर बाहर नही जायेगी।

अब एक दूसरी बात मै आप से कहना चाहता हू और वह फारेन कैपिटल के इनवेस्टमेंट के बारे मे है। हिन्दुस्तान अपने यहा हर साल ५ करोड ५६ लाख रुपये का सोना चादी पैदा करता है लेकिन मेरा कहना है कि इस सोने और चादी से काम नही चलेगा। हिन्दुस्तान की जहाजी कम्पनिया सिर्फ ५ परसेंट ओवरसीज ट्रेड करती हैं जिस से कि बहुत कम आमदनी होती है। यू० के० को ओवरसीज ट्रेड से ६४५ करोड रुपये साल की आमदनी होती है और जापान को ५२ करोड २९ लाख डालर की आमदनी होती है। इस का अर्थ यह है कि जापान ने तीन सालों मे २६ प्रतिशत इन्क्रीज किया है। इटली की आमदनी १६० करोड रुपये प्रति वर्ष है और डेनमार्क की, जोकि एक छोटा सा देश है, ९६ करोड रुपये प्रति वर्ष है। इस के मुकाबले में भारत को लगभग १३ करोड रुपये प्रति वर्ष फारेन एक्सचेंज की आमदनी होती है। श्री कृष्णमाचारी ने कह है कि हिन्दुस्तान पचास से ले कर एक सौ करोड रुपये तक प्रति वर्ष फ्रेट के रूप में दूसरे देशो को देता है। आप फारेन एक्सचेंज की कमी की बात करते है। इस देश में आप आस्टेरिटी मेजर्ज लागू करने की चर्चा करते हैं। वेतनो मे पाच परसेंट या दस परसेंट कट करने को सोचते है। इस सम्बन्ध मे मेरा कहना यह है कि ओस चाटने से प्यास नही बुझेगी। इन एक सौ करोड रुपयो को बचाया जाना चाहिये। वे कैसे बचेंगे ? अगर आप हिन्दुस्तानी जहाजी कम्पनियों का विकास करे, इस देश का टनेज बढाये, तो इस रकम को बचाया जा सकता है। १९४७ में आप ने यह पालिसी रखी कि हमारा टनेज बीस लाख होना चाहिये। अगर हमारे पास वह बीस लाख टनेज होता, तो हम पचास करोड़ रुपये की फारेन एक्सचेंज को बचा सकते थे, यह मै आकडो से साबित कर सकता हू। आप पचास करोड रुपये जहाजो में इन्वेस्ट कीजिये, चार बरस मे आप को पचास करोड रुपये की आमदनी होगी। वे जहाज आप के पास रहेंगे और आप का इन्वेस्टमेंट लौट कर आप के पास आयेगा। मेरा निवेदन यह है कि ३७ करोड रुपये जो आप ने एक बरस मे खर्च कर दिये, उन से काम नही चलेगा। आप को पचास करोड रुपये इन्वेस्ट करने चाहिये। आप कहते है कि आप लिबर्टी शिप खरीदना चाहते हैं। उस के लिये आप ने भी एप्लाई किया है और पाकिस्तान ने भी। अभी परसो मै एक अखबार में इस विषय के एक कमेंट पढ रहा था कि लिबर्टी शिप १९५७ में हिन्दुस्तान को मिल सकेगा या नही इस विषय मे सन्देह है, क्योकि वहा से से सम्बन्धित जो प्राइवेट

[श्री रघुनाथ सिंह]

मेम्बर्ज़ बिल है, वह तब तक पास नहीं हो सकेगा । जब वह पास होगा—शायद वह १९५८ तक पास हो—तब ही भारत वह शिप प्राप्त कर सकेगा । परन्तु मैं आप का ध्यान इस बात की तरफ दिलाना चाहता हूं कि लिबर्टी शिप की कीमत १९५० में १,५०,००० पौंड थी, १९५४ में १,७५,००० पौंड थी और जब आप उस को खरीदेंगे, तो उस की कीमत हो जायगी ६,७५,००० पौंड । इन पांच वर्षों में उस शिप की मांग हुई और उस की कीमत बहुत बढ़ गई । जो चीज आप को फ़र्स्ट फ़ाइव यीअर प्लैन में डेढ़, पौने दो लाख पौंड में मिल सकती थी, आज वह आप को करीब सात लाख पौंड में मिलेगी । तो भी यदि आप खरीदना चाहते हैं, तो खरीदें । फिर भी मैं अमरीका के प्रैजिडैंट आइजनहावर साहब को इस के लिये धन्यवाद देता हूं और मैं आशा करता हूं कि मथबाल फ्लीट में से हिन्दुस्तान को बारह शिप्स जरूर मिलेंगे । इस के लिये हिन्दुस्तान उन का आभारी रहेगा ।

यह पूछा जा सकता है कि आखिरकार यह रुपया आयगा कहां से । मैं आप को बताता हूं कि हमारे शिप्स की अरनिंग कितनी है । हमारे शिप्स की दो प्रकार की अरनिंग है । एक इनविज़िबल अरनिंग है, जिस में बैंकिंग, इन्शोरेंस, ट्रांस्पोर्टेशन और टूरिस्ट ट्रैफिक है । मैं समझता हूं कि बैंकिंग में करीब साढ़े नौ करोड़ रुपये, इन्शोरेंस में ९.३ करोड़ रुपये, ट्रांस्पोर्टेशन में ३८.२ करोड़ रुपये और टूरिस्ट ट्रैफिक में १०.२ करोड़ रुपये की आमदनी होती है । यह सब तो शिप्स की अरनिंग है । इस के अलावा आप कस्टम लेते हैं । श्री कृष्णमाचारी ने इस साल जो बजट रखा है, उस में कस्टम की आमदनी दिखाई है, १६२ करोड़ रुपये, जबकि १९५५-५६ में कस्टम की आमदनी १६४ करोड़ रुपये के करीब थी । वह आमदनी क्यों कम हुई ? वह इसलिये कम हुई कि ओवरसी ट्रेड की टेन्डेन्सी डाउनवर्ड थी । हम बाहर से उतना माल हिन्दुस्तान में नहीं ला सके । मेरा कहना तो यह है कि शिप्स से जो १६२ से १६५ करोड़ रुपया हिन्दुस्तान की जेब में जा रहा है, जोकि बैंकिंग, इन्शोरेंस ट्रांस्पोर्टेशन और टूरिस्ट ट्रैफ़िक के अन्तर्गत होने वाली अरनिंग के अतिरिक्त है, उस का पच्चीस परसेंट आप क्यों नहीं देते ? इंगलैंड चालीस परसेंट देता है और जापान आठ परसेंट देता है । १६४ करोड़ रुपये की आमदनी में से कम से कम पचास करोड़ रुपये देने चाहियें, ताकि वह आमदनी बढ़ कर ३०० करोड रुपये तक पहुंच जाय । इस तरह एक सौ करोड़ रुपये जो हम फ़ारेन शिपिंग कम्पनियों को देते हैं, उन की भी रक्षा हो सकती है ।

मैं यह भी निवेदन करना चाहता हूं कि हमारी शिपिंग का सम्बन्ध विदेशों से है । पी० एण्ड टी० स्टाफ की स्ट्राइक हमारा आन्तरिक मामला है, हमारा घरेलू झगड़ा है और इस को हम निपटा लेंगे, लेकिन अगर डाकयार्ड में स्ट्राइक होती है, तो ९५ परसेंट जो जहाज बाहर से इस देश की पोर्ट्स में आते हैं, उन के ऊपर क्या असर होगा ? इसलिये मैं अपने डाकयार्ड्ज के श्रमिकों और अधिकारियों से निवेदन करना चाहता हूं कि हिन्दुस्तान का गौरव उन के हाथ में है । विदेशियों के सामने हिन्दुस्तान का मस्तक लज्जा से नहीं झुकना चाहिये और हड़ताल के कारण शिपिंग के ऊपर आंच नहीं देनी चाहिये । डाकयार्ड वर्कर्ज की एक एसोसियेशन ने सूचना दी है कि पी० एंड टी० स्टाफ़ की स्ट्राइक की सहानुभूति में हम भी स्ट्राइक करेंगे । मैं डाकयार्ड के अपने बहादुर श्रमिकों से अपील करना चाहता हूं कि उन्हें कम से कम इस बात का ख्याल रखना चाहिये कि अगर हिन्दुस्तान में इस प्रकार की हड़ताल हुई, तो हिन्दुस्तान को एक सौ करोड़ के स्थान पर डेढ़ सौ करोड़ रुपये विदेशियों को देने

पर मजबूर होना पड़ेगा । आप जानते हैं कि एक जहाज का एक दिन का खर्च चार हजार रुपये होता है और एक हफ्ता पहले बम्बई में ४३ जहाज थे । हम को याद रखना चाहिये कि यह जहाजी कम्पनियां गवर्नमेंट की नही है । वे कोई रोडवेज नही हैं । वे आप की मानोपाली नही हैं । खुले समुद्र में वे जहा चाहे आ जा सकती है । इसलिये मैं उन श्रमिकों से निवेदन करना चाहता हूं कि वे हड़ताल का आश्रय न लें । जहा तक ट्रान्सपोर्ट का सम्बन्ध है, हमारा मन्त्रि-मंडल बहुत ही अच्छा है । वे सब बातें अधिकारियों के सामने रखे । अन्यथा विदेशी कम्पनियों को यह कहने का अवसर मिल जायगा कि यहा पर हमारे जहाज एक महीने तक टिके रहते हैं, हम डैमरेज चार्ज करेंगे । इसलिये उन को किसी प्रकार की हड़ताल मे सहायक न होना चाहिये ।

हमारी ट्रान्सपोर्ट मिनिस्ट्री निर्गुण और सगुण का बडा सुन्दर समन्वय है । कबीर का निर्गुणवाद है और राज मे जो लाली है, उस मे सगुणवाद की झलक मिलती है । आध्यात्मवाद और भौतिकवाद दोनो ही इस मिनिस्ट्री मे है । इसलिये मैं इस मिनिस्ट्री से यह आशा रखता हूं कि जिस तरह फ़र्स्ट फाइव यीअर प्लैन मे शास्त्री जी ने रिकार्ड कायम किया था, उसी तरह दूसरी फाइव यीअर प्लैन मे--१९६२ तक--वह हिन्दुस्तान की शिपिंग को एशिया मे सर्वश्रेष्ठ स्थान दिलायगी ।

दूसरा सजेशन मैं आप को यह देना चाहता हू कि शिपिंग ट्रेड तीन प्रकार की है, ओवरसीज, एडजेसेंट और कोस्टल । कोस्टल ट्रेड आपने हिन्दुस्तानियो के लिये रिजर्व की हुई है । कोस्टल ट्रेड के लिये मेरा सजेशन यह है कि सीलोन, बर्मा और हिन्दुस्तान की एक शिपिंग लाइन होनी चाहिये क्योकि इस ट्रेड से इन तीनो का सम्बन्ध खास तौर से है । एडजेसेंट ट्रेड के वास्ते मेरा सजेशन यह है कि इंडियन ओशन मे जितने देश है उन के साथ हम को सम्पर्क स्थापित करना चाहिये और इन देशों के व्यापार के लिये हम को इन से मिल कर एक एडजेसेंट ट्रेड के लिये लाइन बनानी चाहिये । मैं चाहता हूं कि जिस तरह से इंगलैंड का एटलांटिक महासागर मे आधिपत्य है, और जिस तरह स अमरीका चाहता है कि पैसिफिक महासागर मे उस का आधिपत्य हो, उसी तरह से इंडियन ओशन मे हमारा आधिपत्य हो, और हमारा ही नही बल्कि एशिया के सब देशो का आधिपत्य हो । इसलिये मेरा कहना है कि पार्टनरशिप के जरिये या जिस तरह से भी सम्भव हो हम को एक बर्मा, सीलोन और हिन्दुस्तान की कोस्टल लाइन बनानी चाहिये और दूसरी लाइन इंडियन ओशन के दूसरे देशो की हो जैसे ईरान, कीनिया, थाईलैंड आदि आदि । ऐसा होगा तभी हिन्दुस्तान के शिपिंग की तरक्की हो सकेगी ।

Shri Mohiuddin (Secunderabad): Mr Chairman, after the oratory of Mr Raghunath Singh, in which he managed to compress a considerable amount of emotion, I wish to confine my remarks to a prosaic subject, namely, major ports The hon Minister for Shipping, in his statement on 29th July, said that during the period from 12th May to 29th June, the number of ships that had arrived at Bombay, Madras, Calcutta and Visakhapatnam was 520 in 1956 and 607 in 1957 The hon. Minister did not say in his statement how many ships were waiting for berths in the stream or on the buoy But the figures given in the newspaper reports show that there is a large number of vessels waiting for berths inside and outside the four major ports of Bombay, Calcutta, Madras and Visakhapatnam and during the last two months, May and June, they have multiplied six-fold from 14 to 81 at the beginning of July.

This is the state of affairs as far as the working of the docks is concerned. In the middle of June, Mr Nanda had said that the conditions of work in the major ports were one of his major worries. But in the middle of July,

[Shri Mohiuddin]

the hon Minister for Shipping, after his visit to Calcutta, said that "there is no congestion of cargo, but congestion of ships on the river front" and that he was not disappointed—I am only quoting him from the newspapers—with the working conditions in the docks These different sentiments were expressed within a month While there is a large number of ships still waiting in the streams to enter the ports and for berths, these different sentiments are causing confusion in the minds of the people

Shri B. S. Murthy (Kakinada—Reserved—Sch Castes) The sentiments come with the ships and go with the ships

Shri Mohiuddin: Is he referring to sentiments?

Shri B. S. Murthy: Of course

Shri Mohiuddin: No, Sir sentiments stay on That is the first point I wanted to mention That different ideas and sentiments expressed on behalf of the same Government cause confusion

The second point I would like to bring to your notice is that the objective of the second Five Year Plan was to modernise the port facilities and to provide mechanical means of handling cargo and to equip the docks so as to provide for new needs arising from the economic and industrial development of the country Some progress, I am sure, has been made in this direction

I read in the *Indian Shipping* a journal published from Bombay, that No 18 P K Dock at Calcutta was put into commission last April and that dock is mechanically equipped to handle coal at the rate of 500 tons per hour This fact unfortunately has not been mentioned by the Ministry in their annual report for 1956-57 What they have mentioned is that another berth No 5 King George's dock is being mechanised for handling ore I suppose the Ministry does not attach much importance to the mechanisation of handling of cargo In the report, however, it is mentioned—I am quoting from the report for 1956-57—that the need for procuring additional cargo-handling appliances and more mechanisation of facilities for bulk cargo like ore and coal has been revealed during the last year with the import of heavy equipment and steel

On the one hand, the Ministry of Transport are mechanising the docks and berths and on the other we find that the Government agrees under pressure from labour in Bombay that the grain-elevators that have already been fixed there will not be put into commission This is really surprising that on the one hand, we are spending crores of rupees on importing and fixing the mechanical equipment for handling bulk cargoes, on the other we agree not to use the grain-elevators that have already been fixed at Bombay, because the labour is against it This is another contradiction in the policies or in the implementation of the policies which I personally feel is causing confusion. In 1952, 53 and 54, we have had a very bad experience as far as the cargo handling at the major ports was concerned The Government of India appointed the Dock Labourers Regulations Committee to examine the Dock Labour Regulations The Committee's report gives very revealing figures regarding the handling of cargoes The committee estimated that the computed number of days taken for handling 5 000 tons of import cargo other than foodgrains was 19 days in 1952, 22 days in 1953 24 days in 1954 and 17 days in 1955 For export the computed number of days was 6 7 in 1952, 9 3 in 1953, 13 1 in 1954 and 11 6 in 1955 Accordingly, on account of the delay in the handling of cargo, the number of days for which the ships are detained increases proportionately In Calcutta, the number of days the ships were detained unnecessarily had increased from 1 9 in 1952 to 5 4 in 1954 Similarly, in Bombay, the maximum detention in 1954 was 5 8 days.

I shall give another illustration. The 1955-56 report of the Bombay Port Trust shows the fastest and slowest rates of un-loading and loading of vessels which worked 1,000 tons and over during the year. In un-loading, the fastest was 1,230 tons and the slowest was 90 This was in 1955-56. In loading, the fastest was 1,110 tons and the slowest was 104. These variations from year to year are not peculiar for the years 1952-53 and 1954 If the Ministry were to examine the history of the speed at which cargo is handled during the last 15 years, they will find, perhaps, that the variations have been of the same order, for many years Perhaps, they will also be there in the future

What is the effect of these variations in the rate of handling of cargo in the number of days that the ship is detained? The Scindia Steamship Co, in their evidence before the Committee said that an average loss of 5 days on account of poor discharge and loading operations in a round voyage—by no means a high figure in the present conditions of labour in various ports—would amount to in the case of the Scindia fleet to an aggregate loss of the order of 800/900 voyage days or the equivalent of 2½ vessels If a ship were detained on an average for five days in a port it would amount to immobilisation of about 2½ vessels As Shri Raghunath Singh just now said a vessel of 10,000 tons costs now £175,000 Immobilisation of vessels on account of delays in the handling of cargo is an extremely serious matter for consideration It involves a very great national loss

The facilities at the ports have increased considerably during the last five years In 1954-55, Bombay, Calcutta, Madras, Vizagapatam and Cochin had handled 20 million tons In 1955-56, these ports and also Kandla handled only 24,847,000 tons According to the hon Minister's statement of the 29th July, these major ports handled about 27 million tons in 1956-57 This is good But, I wish to draw the attention of the Ministry to one important and very important factor. We are, no doubt, adding some berths. We are, no doubt, building another port at Kandla at a very heavy price. It is necessary, it is essential that we must have that port and other ports as well But, my point is, what is the efficiency of handling of cargo at these ports Additional berths may give scope for handling more cargo That is not sufficient What I wish to emphasise is, what is the increased efficiency in handling the cargo at the same port, for the same docks and berths

An expert,—I do not remember his name, I remember to have read this somewhere—said that a ship is a highly mechanised unit It is a highly mechanised unit which costs thousands of rupees per day for its maintenance and for its working If we subject this highly mechanised unit to a process of manual labour for purposes of loading and un-loading, we are incurring a very heavy national loss on the capital A highly mechanised unit should be, for purposes of loading and un-loading, provided with highly efficient and mechanised equipment, so that the turn round of the ships is as quick as possible Unfortunately, the annual reports of the Ministry do not give any indication as to the efficiency or increasing efficiency of the major ports The hon Minister was in charge of the Railways He is now in charge of Transport and Communications I suggest that he may adopt some indicators to show how our working of the ports is increasing in its efficiency The indicator may be turned round of the ship cargo handled by a gang of labour, or, any other suitable indicator may be devised so that we can see that the efficiency in handling cargo at our major ports is increasing day by day and not going down

There is a threat, as Shri Raghunath Singh pointed out, from the Shipping Conference that, unless our efficiency increases, they will raise the

[Shri Mohiuddin]

freight. Perhaps, they have not raised the freight so far; I hope they will not. But, we have got to do our duty to see that these highly mechanised units are not wasted by standing in the stream or by detention in docks longer than is essential that there should be no detention and unnecessary waste.

Shri Nath Pai (Rajapur): A few days ago I was travelling in one of the Dakotas of the Indian Airlines, and after we had gone a few minutes, I was reminded of a joke by Pop in the *Times*. While travelling in a car he once said: "In this car everything is making noise excepting the horn". Such was the condition of the Plane. I think that the passenger who takes a risk and pays a very fair price is entitled in return for that risk and that price to a modicum of comfort and a reasonable degree of safety. It is true that very often the planes do land very safely at the places of destination, but for me it looked like a minor miracle after what I had gone through in the plane.

I am not taking a delight, I should like to assure the House, in denigrating our own airlines. The only good thing in the plane was that the staff was unusually courteous and polite, and I think what we were lacking in comfort was made good by the air hostess who on the airlines is unusually good. When we had been given a tray, it took the combined strength of some of the passengers and most of the staff to extricate me because the table could not be put into place once it was detached. I found something was dangling there. Out of curiosity I looked and it was a tray, and there were a few of them lying.

As to how poorly these lines are run, if there was a testimony required in corroboration of what I am saying, I could quote Rajkumari Amrit Kaur in what she had to say recently in an article in the *Times of India*. I think that is testimony respectable enough for a large number on the Treasury Benches.

In their report, they have said something which is rather interesting. At page 8 they say:

> "The I.A.C. are playing a very important role in chartering their aircraft for the use of V. I. Ps. and the delegations visiting India. Throughout the year they had a brisk demand for charters."

There is a delightful vagueness about a brisk demand. This kind of delightful vagueness may be fine perhaps when two young people are dealing with each other, but I do not think it satisfies us or helps us in getting a clear idea of what is really happening. They could perhaps have really give information as to how many planes were chartered, what was the demand etc. Many paragraphs are couched in such delightful vagueness.

It is of no use going on telling the passenger that we have nationalised this. It is a poor comfort to the passenger to know that the plane in which he is travelling is nationalised property. We should like to propose to you that it is not enough to say that it is nationalised, try to rationalise the whole system of running it. And by rationalisation for Heaven's sake do not understand that I am suggesting retrenchment. Far from that. The point can be gone into, but there is shortage of time, and I leave it here.

Having said this about the Indian Airlines Corporation, I should like to say something about the Air India International, and I should like to put in a word of appreciation for the way that airline is run. In a field of keen competition from countries which have a long advance in this field, this line has done something, established a reputation for good service and efficient service of which we can be proud, and everything should be done to see that this fine record is enhanced.

Now I should like to turn to another point—because I am very conscious of the hounds of time at my heels and that is about our ports. One topic that has been engaging the attention of all is the congestion in our ports A variety of reasons have been given as to why this congestion is taking place One is that suddenly it happened that the Suez canal was opened and ships were coming, and therefore there was congestion This is not very convincing If they were good enough to give the relevant figures of ships that came the same time last year, we can prove that it is not the case

There was another reason given, that is there was adoption of go-slow tactics by the porters and the dockers Shri Raj Bahadur is on record as having declared in Calcutta that he does not believe that the workers have been resorting to go-slow tactics

Then there is the third reason given by the Government in dealing with this problem of congestion that there has been this influenza and so many workers were affected and that is why it has been happening like that Once again that is not very true

What happens is this In this country if there is one word that has become as common as *Ram nam*, it is planning Planning, planning, planning For constantly ten years we have been hearing this word, it has been dinned into our ears, and one is reminded of "Water, water everywhere, not a drop to drink". We hear of planning and planning, but what we find in most departments is chaos What happens is this We place orders, and as the Plan advances these orders materialise, cargoes arrive We have hardly thought about the number of ships that will be coming at Bombay, Madras or Calcutta or Calicut after six months When they come we rush to find a solution It is like digging a well when the house is on fire.

There is another thing. Cargoes arrive which require particular types of cranes, or particular types of machinery to deal with them. We discover this after the cargo arrives, and therefore the congestion is there. I can say one thing here; I think the plan in some ways, if successful, will do a lot to remove this congestion

There is another aspect with which this Ministry is concerned to which I should like to draw attention I have very little time, and I will make my point by only quoting an authority If the Plan has to be a success, in which I think all of us are interested, we cannot wholly rely upon the capacity of the Indian railway system which is being stretched to the fullest There are other methods of transport which have to be exploited to the maximum capacity. Inland navigation is one which has been ignored Much can be done and not enough is being done It does not sound a particularly staggering figure that we have 12,500 miles of highways I do not want to bore the House with figures, but we know that compared with even small countries like Switzerland, Sweden, Holland and United Kingdom, ours is a very poor thing

Here is what Mr Eugene Black, the President of the World Bank had to say to the Finance Minister as to what India can do in this field:

> "We are struck by the extent to which the lack of adequate transport facilities threatens to constitute a bottleneck in the country's economic development."

Unmistakably and unambiguously, he states the position here:

> "Indeed, in view of the acute shortage of capital for development and the very high import content of railway investment, attention should be given first to the possibilities of improving the operational efficiency of the railways and of encouraging

[Shri Nath Pai]

road transport and coastal shipping. The latter between them should be capable of making a considerable larger contribution than at present".

This is something from a man who knows what he is talking about, not wild talk from the left. I hope this will receive due consideration at the hands of the Ministry.

There is another aspect. While on the one hand we should try to appreciate the difficulties the Government is encountering and the efforts made by them, it is amazing how in some departments there is colossal negligence or connivance or even acquiescence in methods of waste.

One word I would like to add before leaving this department here. The Scindia Steam Navigation Company which runs ships on the coast of Konkan has raised the rates four times. It is a burden which is not even taken into consideration. The people organised themselves for some succour also, but nothing came out. The rates during the last ten years have shot up four times, but what has been happening with regard to the development of shipping. They will perhaps enlighten us on that record when they give the reply.

Having said this, I shall turn my attention to a problem which has been engaging and exercising the attention of all Members of this House and of the public too. There is the shadow of a major national strike taking place in India from the midnight of 8th August. It is a pity that only one union has been mentioned, namely the Post and Telegraph Employees' Federation. There are other unions which have served strike notice on the department. The Civil Aviation Department Union has served notice. There are others, a large number of them. I am a bit associated with them as the Chairman of this confederation. I shall not take up the time of the House in trying to reply to those insinuations and slightly slanderous remarks which have been made, because I am not interested in joining this battle of acrimony. But time will take care of the truth of these wild allegations. But I will come to the main thing. It has been said that the workers are behaving irresponsibly in all this. Now, let me point out to you one thing. The first point I will be talking about is the workers' impatience, irresponsibility etc.

The Federation of the Posts and Telegraphs Workers and Employees, on as many as six occasions, appealed for what, not to have heaven granted to them, but for an interview with the Prime Minister. Beginning on the 8th August, 1956, culminating on the 20th April, on six different occasions, efforts were made to seek an interview with the Prime Minister Even when they issued the strike notice, they still appealed to him to grant them an interview. In spite of these repeated rebuffs, in spite of seven separate attempts which were, I think, given a very cold shoulder, in spite of all the humiliation that is involved in the hand of co-operation being turned down, the workers still came and wanted to meet him. This is not a very glaring and convincing example of irresponsibility and impatience on the part of the workers.

It may be asked 'Why insist on seeing the Prime Minister?'. There is a good reply to that. Like so many other people in this country, the workers too continue to believe that if only the Prime Minister knows the injustice, the sufferings, the inconveniences and the grievances, they have some measure of the justice, some measure of fillip may be given to them. Perhaps, they may learn otherwise. But that was the reason why they wanted to see him.

There is then this thing, this showing how often, how long they have have been patient. I would like to read out one thing, and I am open to correction. Is this an example, on

their part, of impatience? The workers' federation made this suggestion to the Ministry that there should be three-monthly consultations between them and the Ministry. God knows what happened to this very constructive suggestion. They sent their memorandum. I have got a document and acknowledgments. The workers made a suggestion and submitted a memorandum giving their full plan for a Whitley Council; and no one would accuse that the drawing of a Whitley Council or making it do work is a particularly revolutionary thing to do. And this was done at the invitation of the Minister. Nothing happened. They made their own comments, and submitted to them; perhaps, it was very artistic, ostentatious and very presumptuous. How can anybody except those of us who had the good luck of being at Elysee or Cambridge talk on matters of planning and economics, but if that continues to torture us?

But they submitted their own humble suggestions in the department which affects them, and made their constructive suggestions, which, if they had been taken notice of seriously, would have made some contribution towards effecting economy and bringing in more efficiency. But what happened? Nothing.

Then, they made another suggestion, namely, appoint the tribunal for the whole of the nation, an all-India tribunal. Then, they made another suggestion for a permanent conciliatory machinery. What do they talk? What is this approach?

I know that this criticism may sound a bit harsh, in the light of the fact that the two Ministers concerned, both Shri Lal Bahadur Shastri and Shri Nanda are men with an unusually fine record in labour strikes, and a very sympathetic understanding. What has gone wrong with them, I do not know. But the treatment that is meted out to these associations has not been the best that could have been. It is not most helpful, was not most constructive either.

I should like to add at this point further, after having made, these pertinent points that these six associations that have served notice—I plead guilty for being the chairman of that Confederation—have not been even called and asked 'What are your grievances? What can we do?'. I believe, on the other hand, the nation will be told, because we do not control the press or the radio, that here is a irresponsibility at the height of it, here is treachery, anti-national, anti-social. But will it help? In exasperation, in desperation, you may utter it. But if in seriousness you believe it, it is a very unhelpful attitude, I am afraid. When faced with difficulties, you perhaps said it. I do not want to harp on it; I do not want to make capital out of it. But this is the record we want to bring to your notice.

Now, it is said, 'Why do you want to go on strike?'. You see the spectacle of the postman going. We see him bend under the weight of the loads which he carries. Few of us see the burden of suffering, misery and frustration that he carries within Then, they say, 'What of the Plan? If we grant you, what will happen to our Plan?'. Then, they come and say, 'What of the national emergency?'.

Let me now say a few things. Firstly, I quite agree, that we shall have to be very careful; in making any demand. We must always bear in mind the danger that inflationary pressures may be released. All that is true. I grant, and I agree with the Planning Commission which says that the economy is fully strained. We bear all that in mind. But there is the other side to it.

If wages have got to be frozen, prices have got to be pegged, and profits and dividends also have got to be frozen. The two cannot be separated. I know the offer that has been made 'Let us freeze them at the

[Shri Nath Pai]

present level'. We do not accept that. What the worker expects today is the question of taking the right attitude. Let us understand it. Let us not go on wrong ideas of prestige 'Who loses? Who is threatening?'. It is not a trial of strength. Now, what is happening? You come and say, help the Plan, the Plan must be saved. We agree. But who disagrees about it? Everything must be done to save our Plan and make a success of it. All that the worker asks is this, "When the Plan will be successful, when the Plan will be implemented, a new era will come, a new dawn will be coming, and it will be prosperity for many of us". "In order that we live to see the dawn of that prosperity give us the chance to survive till that dawn comes" is the demand of the working classes today. That is what they are begging,—not some heaven—so that they may live to see the dawn. 'Give us a chance to see that dawn' is their demand.

Is this something very unreasonable? Is this something that cannot be done? I am not very much convinced.

I have only a few minutes, I know.....

Mr. Chairman: At 3 P.M. we shall have to commence the non-official business. The hon. Member may go on.

Shri Nath Pai: I have not finished. I was at this point, and I should like to make a few replies to that, about the danger of it.

In view of the danger that I may have to stop exactly at 3 P.M. I shall have to mention this first. I should like to plead one thing. I want to ask one thing. Is it beyond the realm of constructive thinking, is it beyond the realm of courageous leadership to reach a solution which will do justice to them, and also preserve vital national interests? Can we not do something still to save this situation? Is it enough? Shall we have discharged our duties if we say 'national catastrophe', and then, after having given a solemn and shrill cry of national catastrophe, proceed to bury our heads in the dreary sands of apathy and indifference, and sit quietly? I do not think that attitude will help. If there is one thing when there is a national catastrophe, that is that every avenue of averting it must be explored; and it will not help if we only try to pass the burden of blame somewhere That is too much.

I would say that no false conceptions must come. Appoint a commission in which the working classes will have faith It is no use appointing a pay commission. I do not want to go into details, for I am very conscious of my time. If we succeed in appointing a pay commission which can inspire confidence in the working classes, if we can offer something more tangible to the working classes immediately the workers want to go on strike, it is conceivable, it is not beyond possibility, it is not removed completely from the realm of possibility that still we can reach a solution which, while preserving the vital interests of the nation as a whole, would still have done justice to the demands of the working classes That will be my plea to them.

I have got this thing to say also. Let us remember that it will not avail to quote Appleby as a certificate, every time some criticism is levelled Not one Appleby, or a hundred Applebys will avail us in the last resort. All our efforts, all our endeavours should be directed in one direction, should be in one channel, and it is this, to obtain the contentment and satisfaction of the man who toils in the field and sweats in the factory. If we can get that—and how is he to get that satisfaction? Who, more generous, to be satisfied, who more generous in his expression, who more ready to be satisfied with a little than the Indian peasant and

then the Indian worker—if we take that attitude and understand that then I think we can achieve something And many of them have been leaders of long standing. I am not begging I am pleading because I believe that everything must be done, which is in the realm of reason and justice, to avert this catastrophe If that can be done, if they bring this attitude, I think we can succeed. But if we think in terms of big club and small club and sticks, I am afraid—and this is my conclusion—that the over—enthusiastic Indian police, some of whom seen to be better equipped with arms than some of our Indian Armed Forces, may bring about some catastrophe, some tragedy, of which we have seen some very tragic example only the other day

14 57 hrs

[MR DEPUTY-SPEAKER *in the Chair*]

They may lead to something which the Ministers and the Government do not mean, in the Government's determination to meet the strike. They may lead more than it is; they may lead us to somewhere where you do not want to go and we do not want to go

That is my plea, Sir, and I hope it will be read in this light and still justice will be done to workers and care will be taken of larger national interests

Shri Raghunath Singh: We should go together

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15 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

THIRD REPORT

Shri Jhulan Sinha (Siwan): I beg to move.

> "That this House agrees with the Third Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 31st July, 1957".

Mr. Deputy-Speaker: The question is:

> "That this House agrees with the Third Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 31st July, 1957".

The motion was adopted

RESOLUTION RE: DISCONTINUANCE OF GRANTS OF SCHOLARSHIPS TO STUDENTS ON COMMUNITY BASIS

Mr. Deputy-Speaker: The House will now resume further discussion of the Resolution moved by Shri Bibhuti Mishra on the 19th July, 1957, regarding discontinuance of the grant of scholarships to students on community basis

Out of 2 hours allotted for the discussion of the Resolution, one minute has already been taken up and 1 hour and 59 minutes are left for its further discussion today.

Shri Bibhuti Mishra may continue his speech.

श्री बिभूति मिश्र (बगहा) उपाध्यक्ष महोदय, जो प्रस्ताव मैंने पेश किया है वह एक बहुत ही सरल प्रस्ताव है । इस प्रस्ताव में मैंने यह कहा है कि हिन्दुस्तान में जितने गरीब आदमी हैं जिनका विधान में समावधान है और जो गरीब व्यक्ति छूट गए हैं उनका भी विधान मे समाधान होना चाहिए । कोई भी गरीब आदमी हो, चाहे जिस तबके से वह सम्बन्ध रखता हो, चाहे जिस धर्म को वह मानता हो, चाहे जिस जाति का वह हो, यदि वह गरीब है, यदि वह पढ-लिख इस वास्ते नहीं सकता है कि उसके पास पैसा नहीं, उसको पढाना लिखाना तथा उसको गरीबी से मुक्त करना सरकार का काम होना चाहिए । आज दुनिया में जितनी भी सरकारे हैं और जितनी सरकारो का भी गठन हो रहा है, वे सभी अपना ध्यान इस ओर केन्द्रित कर रही हैं कि उनके यहा लोगो में जो गरीबी है, जो अशिक्षा है उनको कैसे दूर किया जाए । हर हकूमत की यह इच्छा रहती है कि किसी न किसी तरह से गरीबी को दूर किया जाए । हर गरीब आदमी को इस बात का अहसास होना चाहिए कि उसके अभाव अभियोगों को दूर करने का सरकार भरसक प्रयत्न कर रही है और उसकी गरीबी का अन्त करने के लिए सरकार सचेष्ट है ।

[श्री विभूति मिश्र]

विधान में कुछ जातियों का समावेश है और उन्हें छात्रवृत्तियां मिल रही हैं । मैं यह नहीं कहता कि उनको आप छात्रवृत्तिया न दें या उनको दूसरी सहूलियतें जो आप इस समय दे रहे है, न दें । आपके द्वारा सहूलियतो के दिए जाने पर मै एतराज नहीं करता हूं । बल्कि मै तो यही चाहता हू कि जितनी रकम सरकार ने निश्चित की है उन पर खर्च करने के लिए, उसको दुगुनी कर दिया जाए, तिगुनी कर दिया जाए या दस गुनी कर दिया जाए । सरकार जहा तक हो सके, जितना भी उसमें सामर्थ्य है, उसके अन्दर रहते हुए, वह हरिजनों की भलाई के कार्य करे, उनके अन्दर से अशिक्षा को दूर करे, उनको ऊंचा उठावे ।

इस साल के बजट मे सरकार ने डेढ करोड रुपया इस काम के लिए निश्चत किया है और मै चाहता हूं कि सरकार इस रकम को और बढ़ावे और हमारे हरिजन भाइयों शैड्यूल्ड कास्ट के भाइयों को, शैड्यूल्ड ट्राइब्स के भाइयों को और बैकवर्ड क्लासिस को जितनी सुविधायें प्रदान कर सकती है, उनकी जितनी मदद कर सकती है, जितनी उनके अन्दर से अशिक्षा को दूर कर सकती है, करे । परन्तु इसके साथ ही साथ मै यह भी कहना चाहता हू कि दूसरे माननीय सदस्य इस बात को स्वीकार करेंगे कि कुछ ऐसे भाई भी छूट गए है जिन के अन्दर गरीबी है, जिन के अन्दर निरक्षरता है, जो पैसे के अभाव में पढ नहीं पाते, जो भीख मांग कर अपना गुजारा करते हैं, उनके अन्दर अशिक्षा है उनके अन्दर से इन अभावो को दूर किया जाना चाहिए । मै चाहता हूं कि सरकार इस बात पर सोचे और सोचने के बाद इस मामले में कुछ करे और मेरा विश्वास है कि सरकार इस पर सोच भी रही है । मौजूदा विधान में आप इस चीज को कर सकते है और आपको विधान को बदलने की आवश्यकता नहीं है । लेकिन न मालूम हमारी सरकार का ध्यान उन जातियों की ओर क्यों नहीं जाता है जोकि छूट गई है । यह सब ने कबूल किया है कि ये भी बैकवर्ड क्लासिस है और ये भी निर्धन है और इनके अन्दर भी शिक्षा का अभाव है ।

अब मैं आपके सामने संविधान का आर्टिकल ३८ पढना चाहता हू । इसमें लिखा है ....

श्री बर्मन (कूच बिहार—रक्षित—अनुसूचित जातिया) : जो चीज माननीय सदस्य कह रहे है उसके मुताबिक तो उनको यह रेजोल्यूशन वापिस ले लेना चाहिए और इसकी जगह पर दूसरा रेजोल्यूशन लाना चाहिए।

श्री विभूति मिश्र वह भी देख लिया जाएगा ।

मै आपके सम्मुख आर्टिकल ३८ पढने जा रहा था । इसमे लिखा है :—

"The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life".

मै समझता हू कि इस आर्टिकल के मुताबिक जो हमारे शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब्स तथा बैकवर्ड क्लासिस के भाई है और वे भाई जिन के नाम छूट गए है और जिन के अन्दर गरीबी है, उनके साथ सरकार इस आर्टिकल के निर्देश के अनुसार न्याय करे और उनके अन्दर से भी गरीबी को दूर करने का तथा निरक्षरता को मिटाने का प्रयत्न करे ।

इसी तरह से आर्टिकल ४६ है जिसको मै पढकर आपको सुनाना चाहता हू :—

The State shall promote with special care the eucational and economic interests of the weaker

sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social, injustice and all forms of exploitation".

इसके अन्दर ज्यादा जोर तो शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स पर दिया गया है लेकिन इसमें बीकर सैक्शन का भी जिक्र किया गया है और कहा गया है कि उनका भी सरकार खयाल रखेगी । जिन जातियों का इस विधान में जिक्र किया गया है उनके अलावा कुछ और भी जातियां हैं जोकि छूट गई है और उनके अन्दर में बहुत से ऐसे लोग है जो गरीब है जिन के पास पैसा नहीं है, खाने को नहीं है, उनके बच्चे पढना तो चाहते हैं लेकिन पैसे के अभाव में पढ नहीं पाते है और मैं चाहता हू कि सरकार उनकी भी सहायता करे ।

आपने इस संविधान के प्रिएम्बल में कहा है कि हम सब लोगों को सोशल, इकोनोमिक एंड पोलिटिकल जस्टिस देंगे और सब लोगों को हर तरह की अपरचुनिटीस देंगे कि वे आगे बढ सकें । मैं चाहता हू कि जब सरकार कुछ जाति के लोगों को सहायता दे रही है तो दूसरी जाति के लोगों को भी, जिन जातियों के लोग कि इस में से छूट गए है, सरकार सहायता दे । मैं यह नहीं चाहता हू कि सरकार किसी तरह से भी जो हरिजन भाई हैं और उनको जो सहायता या मदद मिल रही है, उनको उस मदद का देना बन्द कर दे । उनको सरकार पूरी सहूलियतें दे और उनके अन्दर से अशिक्षा को दूर करे । लेकिन इसी तरह से मैं यह भी चाहता हू कि और जातियों के जो लोग है, जो गरीब है, पढ नहीं सकते है, पढना चाहते है उनके पास पैसा नहीं है, घर नहीं है, जमीन नहीं है, भीख मांगते हैं उनको भी सरकार पढ़ने के लिए वित्तीय सहायता दे, उनको भी सरकार स्कालरशिप दे । इस के लिए सरकार को विधान को बदलने की जरूरत नहीं है । मैंने जो दफा ३८ और दफा ४६ का जिक्र किया है उसमें ही काफी गुंजाइश है और उनके अनुसार ही सरकार इन गरीबों को पैसा देकर के इनके साथ न्याय कर सकती है ।

Shri Manay (Bombay City Central —Reserved—Sch Castes): On a point of order The hon Member, while moving his Resolution, has worded it in such a way that there is necessity for amending the Constitution Now in his speech he has just said that there is no necessity to amend the Constitution .

Mr. Deputy-Speaker: He has said in his Resolution that if necessary the Constitution should be amended So he can take up both positions

Shri Manay: He says specifically now that the Constitution need not be amended, because he wants that the facilities for the Scheduled Castes, Scheduled Tribes and backward classes be continued Not only that; he goes further and says that the facilities should be extended.

Mr. Deputy-Speaker: What is the point of order?

Shri Manay: It is that the Resolution that he has moved and the speech he is making contravene each other

Mr. Deputy-Speaker: There is no point of order; nor has the hon. Member contravened the Resolution that he has moved.

श्री विभूति मिश्र : अभी मेरे माननीय भाई ने जो कुछ कहा है उसका मतलब मैं यह लगाता हू कि उन्होंने "अगर" के माने नहीं समझे हैं ।

उपाध्यक्ष महोदय : इस बात को कहने की आवश्यकता नहीं है, आप अपनी तकरीर जारी रखें ।

श्री विभूति मिश्र : मैं यह कह रहा था कि आर्टिकल्स ३८ और ४६ के अन्तर्गत ही सरकार उन लोगों की, जिन का जिक्र नहीं किया गया है, सहायता कर सकती है । अगर

[श्री विभूति मिश्र]

सरकार को कोई कठिनाई नजर आती है तो विधान को भी बदला जा सकता है। विधान को बदलने का मतलब यह नहीं है कि उन भाइयों को जिन को सहूलियत मिल रही है, उनको सहूलियत न मिले। उनको सहूलियतें तो मिलना ही चाहियें। इसमें मुझे कोई एतराज नहीं है। लेकिन मैं इतना ही चाहता हूं कि जिन गरीब भाइयों का इसमें जिक्र नहीं है, उनके साथ भी न्याय हो। मैं चाहता हूं कि शिक्षा मंत्रालय इस बारे में पूरी दिलचस्पी ले और उनकी भी मदद करे।

इंग्लैंड से एक भाई का पैटिशन आया है जिस में जो कुछ उन्होंने लिखा है, वह मैं आपको पढ़कर सुनाना चाहता हूं —

"In England, a man employed at a far-off place on a poor salary wanted to write a letter to his sister once a month. As he was too poor to purchase card, he used to write a not-paid-letter once a month and the sister used to understand that her brother was all right. When one Member of Parliament came to know of it, he raised the matter in Parliament and helped to bring down the cost of the post card to be within the easy reach of the poor."

एक माननीय सदस्य : इंग्लैंड में छुआछूत नहीं है।

श्री विभूति मिश्र : यहां भी नहीं है। इंग्लैंड में एक गरीब आदमी जिसके कि पास पोस्टकार्ड तक लिखने के वास्ते पैसा नहीं था, जब उसके बारे में पार्लियामेंट के एक मेम्बर को मालूम हुआ तो उसने यह मामला वहां की पार्लियामेंट में रखा और उस पर वहां कुछ सहूलियत दे दी गई। मैं चाहता हूं कि इंग्लैंड की तरह हमारे देश में भी गरीबों के साथ न्याय होना चाहिए। मैं चाहता हूं कि हमारे ऐसे गरीब आदमी जिनको कि सरकार की तरफ से सहूलियत नहीं मिल पाई है, उनको हमारी सरकार जितनी भी यथासंभव दे सकती हो एक पैसे से ले करके १ लाख और १ करोड़ रुपये तक, जितना भी हमारी सरकार के पास पैसा हो और जितना देना मुनासिब हो, दे। यह बहुत अच्छी बात होगी और मैं चाहता हूं कि सभी गरीब लोगों के साथ चाहे वह किसी भी धर्म और मजहब के क्यों न हों क्योंकि गरीब का धर्म और मजहब सिवाय गरीबी के और कुछ नहीं होता, न्याय किया जाय। जितने भी गरीब होते हैं उनका एक ही मजहब और धर्म होता है और वह है गरीबी और इसलिए मैं समझता हूं कि हम लोग जो एलेक्टेड मेम्बर्स हैं और चुनाव लड़ कर आये हैं और जनता ने वोट देकर हमें यहां भेजा है, तो यह हम सब का फ़र्ज और कर्तव्य हो जाता है कि जो गरीब हैं और जिनको कि छात्रवृत्ति नहीं मिलती है और जो गरीबी के कारण पढ़ नहीं पाते हैं, उनके कौज को इस सदन के सामने प्लीड करें। सौभाग्य से इस समय हमारे प्रधान मंत्री महोदय मौजूद हैं जिन्होंने कि हिन्दुस्तान की स्वाधीनता की लड़ाई लड़ी थी और उनके नेतृत्व में हम ने स्वतंत्रता की लड़ाई में भाग लिया था, हम चाहते हैं कि प्रधान मंत्री महोदय भी इस ओर ध्यान दें और यह देखें कि गरीबों के साथ न्याय हो। मैं यह नहीं चाहता हूं कि जो हमारे हरिजन या बैकवर्ड क्लासेज के भाई हैं उनकी छात्रवृत्ति की रकम में किसी तरह की कमी हो लेकिन यह जरूर चाहता हूं कि जो और गरीब आदमी हैं उनके साथ भी न्याय हो।

Mr. Deputy-Speaker: Resolution moved:

"This House is of opinion that Central Government scholarships should not be awarded exclusively to any particular community only but they should be thrown open to the poor and deserving students of all Communities and to this end Government should, if necessary, bring forward suitable legislation to amend the Constitution."

Two hours have been allotted to this Resolution and the House had approved of it. Now, it is 3·15 and one hour and forty-five minutes more The hon Minister would take about 20 minutes So, I think, 10 minutes would suffice for each hon Member

Shri Jaipal Singh (Ranchi West—Reserved—Sch Tribes) May I humbly submit that the House has in the past—recently—more than once departed from its previous decision This Resolution is of an order where, I think, many would like to participate May I suggest that the House do extend its sitting by another hour and sit till 6 o'clock to enable more Members to take part in the debate? It looks innocuous the way it is put but it is even more important than the Mover of the Resolution himself thinks

Mr Deputy-Speaker: There is one difficulty that I have got Just now this House has approved the Report of the Committee on Private Members' Bills and Resolutions and nobody stood up or took objection to it

Shri Jaipal Singh It is an afterthought, Sir

Mr. Deputy-Speaker. Then, I will also see after some time whether it should be extended

The Minister of State in the Ministry of Education and Scientific Research (Dr K. L Shrimali): In that case I may also be allowed half an hour, Sir

Mr Deputy-Speaker Yes, Shri B S Murthy

Shri Bangshi Thakur (Tripura—Reserved—Sch Tribes) *rose*

Mr Deputy-Speaker: What does the hon Member want I can't hear him

Shri Bangshi Thakur: Sir, I am a new Member, I could not follow the procedure So, I would like to say that we want to say something with regard to this and I want to know when we shall be given an opportunity

Mr Deputy-Speaker. The hon Member is not probably aware that every Member has to try to catch the eye of the Chairman or the Presiding Officer, whoever he may be Besides that, he can send in a chit The hon Speaker announced this morning that there are printed forms available at the Table and any Member who wants to speak may express his desire by sending that chit

Shri Murthy

Shri B. S. Murthy (Kakinada—Reserved—Sch Castes) Mr Deputy-Speaker, Sir, this is a very significant Resolution and a Resolution which will indicate how the mind of the Caste Hindu is now being agitated because of a certain moiety of a concession being enjoyed by certain communities which have been, for ages, submerged under the sin of untouchability

This is a question which must be given the deepest consideration because, some time ago, you must be aware that there was satyagraha in Banaras about the entry into Viswanath temple by Harijans, and the so-called orthodoxy opposing that temple entry Very recently, you must have also read in the papers how mass harassment had gone on unhampered in Orissa where thousands and thousands of Harijans have been kept in concentration camps as it were

Several Hon. Members: Where?

Shri B S Murthy: Well, I have read in the papers I will come to it if hon Members are patient

Then, there are certain Governments which are now trying to remove the concessions that were given to them by the British Government All this indicates that there is a change of attitude of the Hindu society towards certain other communities which were unfortunately backward and depressed in society

In this connection, I would like to say I am not opposed to any poor student being given governmental help I welcome it because every

[Shri B. S. Murthy]

student whether he belongs to this or that community is entitled to have the maximum benefit from our Government and also because he belongs to the State and he is an asset to the nation. In the case of certain communities, it is not mere poverty that stands in the way. There are other sociological conditions that have depressed them for centuries. It is because of this that Mahatma Gandhi, after his epic fast, created one or two organisations for the service of Harijans and later on for the service of the *adim jathi* brethren. If you have time to read his writings, Sir, you will find that he has indicated that these communities should be given special preference by the Independent India so that the security and safety of the nation will be stabilised. Then, there is the question of social justice. A poor student of the Brahmin community to which my hon. friend belongs and a poor student of the Harijan community to which I have the honour to belong, cannot be on a par simply because they happen to be poor. I do not think that it is social justice done to the Harijan community.

It is a very difficult question and my mind is agitated. Therefore, I am struggling for expression Thoughts are deeper than words and feelings are deeper than thoughts. You cannot imagine what a Harijan feels like even in this independent India of today. Is he being treated as a human being? Please come with me and I will show not only in Andhra but in other parts of India what the Harijan feels today Even today he is an untouchable, a social leper What is being done? How long do you want to dilly-dally with the question concerning sixty million people? Don't you think that they have a heart, a mind or a brain? After Gandhiji had given us a conscience and a mind and a vigour, I do not think it is possible for any society or any Government to rule the roost and call a Harijan a Harijan. We do not want to be called Harijans; we do not want to remain untouchables. We want to merge ourselves into the body politic of Hindu society but you are not allowing us to do so or you do not create opportunities for us to come and merge ourselves into that bigger ocean of Hindu polity. This is nothing but another disruptive attitude which has been the ruin of our country. I shall not be wrong if I say that the day when you outcasted the Harijan and called him an untouchable and sent him out of the village and asked him to live away the dragon seed of Partition of India has been sown and we had to reap the consequences in 1947. Do you want the repetition of it? So, it is high time that this community should be given all the possible help in order that it may take advantage and educate itself and merge itself into the greater community of Indian nationhood That is the desire of everyone. Therefore, I appeal not only to Mr. Mishra my good friend but other caste Hindu friends also. They should not have this feeling that the Harijan is stealing a march over them and create bitterness in the minds of Harijan young men Then, it would become a very live vulcano and things may be beyond our control

Shri Supakar (Sambalpur): Sir, on a point of information. The hon. Member just spoke about a thousand in Orissa being put in some sort of a concentration camp. This is a thing on which we should like to know greater details.

Mr. Deputy-Speaker: There are some amendments notice of which had been received from some hon. Members Are they moving it?

Shri Kamble (Kopargaon): Sir, I beg to move:

(1) That in the resolution,—

for the words, "not be awarded *exclusively to any particular* community only but they should be thrown open to the poor and deserving students of all communities", the following be *substituted* namely:—

"be awarded to such poor and deserving students only whose

parents/guardian's income does not exceed rupees three hundred per month from all sources and further the parents/guardians and the student concerned file alongwith the application for scholarship a declaration duly affirmed in the prescribed manner to the effect that the parents/guardian/student belong to a faith not recognising any caste or community"

(ii) That in the resolution,—

after the words "all communities" the words "except the most advanced community in education for whom a certain quota of scholarships be set aside in proportion to its population" be *inserted*.

Shri B. K. Gaikwad (Nasik) Sir, I beg to move:

(i) That in the resolution,—

the words "not be awarded exclusively to any particular community only but they should" be *omitted*

(ii) That in the resolution,—

the words" and to this end Government should, if necessary, bring forward suitable legislation to amend the Constitution" occurring at the end be *omitted*

Shri Thimmaiah (Kolar—Reserved —Sch Castes) Sir, I beg to move:

That in the resolution,—

(i) after the word "community" the words "except the Scheduled Castes and the Scheduled Tribes" be *inserted*, and

(ii) the word "only" be *omitted*.

Mr. Deputy-Speaker: All these amendments are before the House

Shri Frank Anthony (Nominated—Anglo-Indians): Mr Deputy-Speaker, I rise to support the first part of Resolution which reads:

"except in the case of the Scheduled Castes and the Scheduled Tribes students Central Government scholarships should not be awarded exclusively to any community and these should be thrown open to the poor and deserving students of all communities."

May I say in passing that I feel the hon. the previous speaker has completely misconceived the purport of this Resolution? It specifically excepts the Scheduled Castes and Scheduled Tribes. I do not think that any unnecessary or unjustified attack should be made on the hon. Mover. Like all of us, he appreciates the special position of the Scheduled Tribes and Scheduled Castes. Nobody wants to encroach on that position.

I have attempted to take part in this discussion because I wish to give the House the benefit of my personal experience with regard to what I regard as utterly unsatisfactory working of the present arbitrary way in which the Central and the State Governments classify or force people into these classifications. The whole policy is misconceived and not only wrong but it creates a wrong psychology. I say this without qualification today because of this misconceived policy on the part of the Central and State Governments, there is a literal scramble to be included in the backward classes. People today feel that it is not only an economic advantage; more than that it is a political prize to be classified among the backward classes. Once people are included therein, it takes the character of a vested political interest.

I will give the House this example. Normally, I do not like to refer to matters of sectarian or communal character. But, I want to underline the grievous psychological injury that is being done by this kind of a policy. There is a class of people known as *farangis* in Kerala. These people have been classified as backward in the past. Nobody grudges that. I have no doubt that they are backward and largely without education. But, fairly

[Shri Frank Anthony]

recently, some people perhaps attracted by some of the special safeguards given to the Anglo-Indian community sought also to be classified as Anglo-Indians. When the rest of my community heard of this, they were, I think quite rightly, indignant. They said: "We have, in the Anglo-Indian community poor people, desperately poor people but is that any reason to abandon your self-respect?" Is that any reason to claim to be classified as backward and get some of the concessions that are given to backward people? What has happened now? The spokesmen of these *Farangis* say that the leaders of the Anglo-Indian community are depriving the community of glittering political prizes. This is not only a perverse psychology; to me, it is a revolting psychology. And, what does the Kerala Government do? The Kerala Government immediately encourages this process, which I regard as a process of degradation.

I always thought that the policy implicit in this process of recognising people as backward was to uplift them, to encourage them to shed this feeling of consciousness of backwardness. But, today, instead of shedding this consciousness of backwardness, because of the Government's policy, this consciousness, this word "backward" is now becoming a vested interest. Wealthy people belonging to the so-called backward classes insist on being classified as backward.

As I say, what has the Kerala Government done? In order to get the votes of these *Farangis*, the Kerala Government now insists on branding my community in Kerala as backward. I use the word "branding" deliberately. I regard it as a brand of shame Why should you brand people, who throughout their history have never been classified as backward? That is why I say that this whole policy is misconceived.

If a community is self-respecting and refuses to be classified as backward then the poorest sections in that community are penalised. That is why I say that the only test for giving—I don't think you should even use the word "backward"—people some kind of relief—I am excluding Scheduled Castes and Scheduled Tribes—should be a "means test". Why should a person, merely because he is born a Brahmin, Parsi or Anglo-Indian, though he may be desparately poor be deprived of getting assistance from the Government? That is what your present policy allows.

I think this "means test" should be imaginatively conceived; it should not be a sort of flat rate, say, for people *getting below Rs 100 If the Government* is disposed to change its policy, I think everyone irrespective of caste, creed or community should agree to a "means test"—I do not know whether you should classify them as backward; you may refer to them as "less fortunate"—and they should all be eligible to get this assistance.

Another evil consequence of the Government's present policy is this. Small communities cannot get any admissions into universities and colleges In Madras a member of my community cannot get a seat. Why? Because, the Madras State has a high percentage of reservations for backward classes

Now, look at this position. In the Anglo-Indian community in Kerala you may have a person who is a *lakhpathi*. He is branded as backward. He can afford to send his child to any institution in Europe. Because the Kerala Government has chosen to brand that community as backward he can send his child to Madras and get a seat, whereas in Madras itself, where the community is not stigmatised as backward, an able boy from a very poor family cannot get in because there are no seats left. The Madras Government says that there is a high percentage for backward classes and for other communities on the basis of numerical strength with

the result that my community cannot get one seat.

I appeal to them to seriously consider revising this whole policy, because, I say, psychologically it has a corrosive effect and in practice it does operate harshly on the really poor sections of communities which do not happen to get into this backward classes classification.

Shri Thimmaiah: Mr. Deputy-Speaker, Sir, Shri Bibhuti Mishra's resolution, though well-intentioned, does not suit the existing circumstances in this country. I do not question the motive of my hon. friend who has just moved the resolution, but in his speech he himself has admitted that the Scheduled Castes and Scheduled Tribes should invariably be given scholarships. So, Shri Bibhuti Mishra has admitted that to some extent caste has to be recognised in the matter of award of scholarships.

Sir, castes exist in this country and it will take some years to completely eradicate casteism in this country. The victims of casteism particularly in this country are the Scheduled Castes and Scheduled Tribes. There are also other castes who are victimised by this casteism, of course in a lesser degree than the Scheduled Castes and Scheduled Tribes.

We have no objection if the students of other poor sections are also included in the award of scholarships. We do not say that they should not be given scholarships. The difficulty arises here because of the limited finance and resources of the country. Therefore, we have to categorise certain sections of people as backward. Certain sections of the people are suppressed and depressed, and are educationally backward.

In this back ground I think the Constitution-makers have made a provision in the Constitution that the States should take particular care of the Scheduled Castes and Scheduled Tribes, and also weaker sections of the people, in matter of Education.

My learned friend, Shri Frank Anthony, was just referring to the backward classes. Though I represent the Scheduled Castes people, as a layman I can speak about the backward classes. As we all know, the majority of the people in this country are illiterate. Education advancement of the people in this country is very poor. In the Constitution also the framers of the Constitution recognise that certain sections of the people are oppressed and suppressed, and there are certain sections who are educationally and socially backward.

Therefore, there is a provision in the Constitution that the President should appoint a Backward Classes Commission to go into the question and find out which are the sections of the people that are educationally and socially backward. In accordance with that provision recently the Backward Classes Commission was appointed and they also published a report. Therein they have recommended certain sections of the people who are entitled for scholarships and educational encouragement.

If we really want to encourage the weaker sections of the people to get education, certainly we will have to say that such and such sections of the people are backward, such and such sections are Scheduled Castes and Scheduled Tribes and so on. This is the practical way of doing things towards bringing about advancement of certain sections of the people in this country. I do not object to other poor boys from advanced sections of the society being given scholarships.

On hearing the speech of Shri Bibhuti Mishra I feel that he is ignorant of certain facts. He said that even poor boys in the backward classes and Scheduled Castes are not getting scholarships. Scholarships are distributed only on the basis of poverty and merit among the backward classes. Only for Scheduled Castes and Scheduled Tribes scholarships are given without considering their merit or poverty because they are generally very poor.

[Shri Thimmaiah]

and the number is also very limited.

Under the Central scholarship scheme this year I found that more than 5,000 students belonging to the backward classes are going without scholarships, because their number is very big and our finances are limited. Shri Bibhuti Mishra wanted to know whether scholarship is given on the basis of poverty. I want to submit that here also it is given purely on the basis of poverty. If my friend looks into the application forms, the Education Ministry has noted down persons getting Rs. 150, persons getting Rs. 300 and those getting above Rs. 400. Those who get above Rs. 400 are not entitled for scholarship. Therefore, these scholarships are entirely given on the basis of poverty. Therefore, Shri Bibhuti Mishra's objection that even in the backward classes and the Scheduled Castes and Scheduled Tribes, the poor boys are not getting scholarships does not, I think, hold any water at all.

Shri Bibhuti Mishra: I do not object to anybody getting scholarship.

Shri Thimmaiah: There is one more point, Sir. There are other scholarships which are given not on a communal basis. There are merit scholarships, public school scholarships, research scholarships in humanities, scholarships for higher studies, etc. All these are not given on communal basis, and they are given only on the basis of merit. I do not think any scheduled Caste boy or a tribal boy is getting these scholarships at any time, because they are not given on the basis of poverty. There are some other scholarships also such as modified overseas scholarships, central scholarships for foreign languages, etc. Like this, there are 40 scholarships now under the Education Ministry. They are given not on a communal basis but they are entirely given on merit basis. Therefore, I submit that the Government's policy regarding the allotment of scholarship is entirely practical and is entirely justified. They are entirely justified in awarding scholarships on the basis of caste and certain other scholarships on the basis of merit because, one must think in a practical way and one should also think of the background in which these backward classes exist today.

If democracy were to be successful in this country, I think, the majority of the people who are illiterates are to be educated. Of course, I do not object again that the poorer boys of the higher castes, the advanced sections of the people, so to say, should not get scholarships, but I have no objection if the Education Ministry says, if it has got sufficient funds, "I am prepared to give scholarships to all the poor students in this country." Then, I shall be the first man to be very happy.

Shri Bibhuti Mishra also admits that the finances of this country are limited. Therefore, I think that at least for some years to come, and till these backward classes come up to the level of others, educational and social, these scholarships are to be awarded on communal basis. It does not mean that we are communal-minded. I am speaking particularly about the Scheduled Castes and Scheduled Tribes. They are the victims of communalism; they are the victims of casteism. I think it is not at all communalistic on their part if they claim scholarship on communal basis, because, in the interests of the country and in the interests of democracy, I think these scholarships are to be continued for some years at least on the communal basis, so that the whole country can get educated and come up to the level of the educated, advanced sections of the people in the country.

Shri Jaipal Singh: Mr. Deputy-Speaker Sir, as I said on an earlier occasion, on the face of it this resolution appears to be very innocuous, but when we go to examine the financial implications of this resolution, it is not so innocuous as the mover has tried to make

it out. Normally, a resolution like this would *prima facie* get my support because we are pledged to be a welfare State where every section of the Indian community has to be looked upon with respect and where we do not have to think of water-tight compartments But my hon friend, the Member from Bagaha has to realise why the Constitution-makers provided certain safeguards in the Constitution It was a mathematical problem This country is a vast one and there are various instances in the Indian community of utter helplessness, more especially among the Scheduled Castes and Scheduled Tribes in particular

Sir, you will remember that when the Central Government first appointed the Central Scholarships Committee, the funds were set apart only for the two groups—the Scheduled Castes and the Scheduled Tribes—but the great and noble soul, Thakar Bapa, appeared on the scene and brought in a third very numerical group of the Indian community, namely, the other backward classes Originally, these were not meant to be included The amount that was sanctioned by the Government remained the same, but instead of the original amount being shared only between Scheduled Castes and the Scheduled Tribes, these two scheduled classes had to be deprived of a certain amount of it, so that the other backward classes could be given something

Now, we have to examine this and analyse the position We have no objection whatever if any rich man gets a scholarship, and we have no objection whatever if the finances of the country can stand it But the whole question is, first things should come first, I think we had better look at it from that point of view Take the question of the Scheduled Tribes I hope the House will forgive me if I speak specifically about the Scheduled Tribes When the Constitution was made, what was their number? 248 lakhs Then the President's Order came in, and the 248 lakhs became 169 lakhs Nearly a crore of them disappeared by some President's Order What has happened? The people of the Scheduled Castes and the Scheduled Tribes that were scheduled previously got precluded from the schedule and were thrown into this quagmire of the other backward classes, with the result that today they get nothing

I have to point out this because people think that every applicant from the Scheduled Tribes is getting a scholarship That is not true. Go to Assam Now, all the Scheduled Tribes people who migrated to Assam tea gardens from Chattisgarh and Orissa and South Bihar are other backward classes among the general population there So, if they go and settle there, it means they are deprived of the spirit of the safeguards of the Constitution That is a very important factor

Dr K L Shrimali: I would like to correct the hon Member As far as the Central Government scholarships are concerned, during all these years, there has not been a single student who was eligible to get the scholarship and who has been refused

Shri Jaipal Singh: I am afraid the hon Minister is grievously wrong in his statement What I have been trying to point out is the mischief that the re-scheduling has done, and it has put out of reach millions of Scheduled Tribes I am talking not of the Scheduled Tribes now, but of the tribes who have been put out of the schedule and who, technically and constitutionally, were among the Scheduled Tribes, have now become part of the other backward classes, as in the case of Assam Why are there not so many reserved seats in Assam? Look at the tribal figures there They are out of the schedule and there are no reserved seats for tribal people in the tea gardens It is a mathematical problem. Some of

[Shri Jaipal Singh]

these things have been done deliberately.

In my own State, in the State of Bihar, in 1941, there were 51 lakhs of Scheduled Tribes. What is that figure today? Let the hon. Minister find it out for himself. What is happening or what has happened to the others? Have they died out? What has happened to them? How are they getting these educational facilities? I have no objection whatever if the Scheduled Castes and the Scheduled Tribes in no way get lesser safeguards than they are getting now. If that is the position, I would go all out in support of my hon. friend, the Member from Bagaha. But, if the House accepts the financial implications of this scheme, it means that it is going to cripple the safeguards that the Scheduled Tribes are getting at the present moment, and for the matter of that, the other backward classes who have been brought within this reach. It is on that score I feel that I must oppose this resolution, because it is a question of degree. There are backward people in every community. There are backward Kashmiris. So, should the Scheduled Tribes get less? There are backward pandits. So, the Scheduled Tribes shou'd get less! Is that the argument that my hon. friend, the Member from Bagaha, is trying to propound?

Shri Ranga (Tenali) Bhagat?

Shri Jaipal Singh: I am sorry that my hon. friend Shri Ranga does not know the geography of Bihar. Shri Bibhuti Mishra is an hon. Member duly elected by the electorate of Bagaha in the State of Bihar. I would like to assist my hon. friend from Bagaha in his project, if he will spport me in the counsel I wish to give boldly to the Treasury Benches, that are mostly empty at the present moment. I am sorry the hon. Leader of the House is not present. There is one way of solving this very big problem in this country and that is to make prohibition and temperance a purely central subject, to lift prohibition throughout the country and use that revenue for giving scholarships.

Shri Narasimhan (Krishnagiri): Is the hon. Member in order in moving out of his seat while speaking?

Shri Jaipal Singh: I have not followed the hon. Member's interruption.

Mr. Deputy-Speaker: The interruption that does not reach the Member speaking is not intended for him; he should not mind that.

Shri Jaipal Singh: I thought I would be benefited by his humour. The hon. Leader of the House has himself said again and again that prohibition will not work in the tribal areas in particular. It is not working anywhere....

Shri Achar (Mangalore): On a point of order, Sir, Is a discussion on prohibition relevant to the debate?

Mr Deputy speaker: Where is the point of order? The hon. Member was making out a point that if prohibition is removed, that revenue may be made available for scholarships.

Shri Jaipal Singh: I am prepared to lend weight to this resolution by providing the wherewithal with which the idea may be implemented. In case our opposition to the resolution should be misunderstood, let it be clear in the minds of others that we do not want to stand in the way of other people also going ahead. That is not the issue. I agree that the real thing should be to have a means test even in the case of Scheduled Castes and Scheduled Tribes....

An Hon. Member: Among themselves.

Shri Jaipal Singh: That is not being done at the present moment. I know it for a fact that there have been many many instances where scholarships need not have been awarded. I say that as one who has set his own example. I had been a member of the scholarship committee for several years. My son would have got a scholarship, but I would not take it.

But what is happening today? Blindly the Education Ministry is awarding scholarships. That money could go much further.

Lastly, I would say that this resolution can be accepted by us only if the hon. Member convinces us, or the Treasury Benches can tell us, that additional funds will be provided for this particular purpose so that others may also be included and so that the present recipients of the benefits will in no way be hampered in the benefits they are getting.

Shri Ayyakannu (Nagapattinam—Reserved—Sch. Castes): Mr. Deputy-Speaker, if scholarships are to be awarded to the Scheduled Castes only through open competition, I am afraid that they will never be able to get any scholarships at all, because since time immemorial they have been suppressed. Their dwelling places are so bad and the environments and circumstances in which they live are preventing them from learning anything.

Apart from that, I believe in the matter of intelligence inheritance is one of the main factors. If inheritance is accepted as one of the main factors, I am afraid the Scheduled Castes students cannot inherit anything from their poor parents. They are born in a poor family, brought up in a *cheri* and say so. In these circumstances, naturally these students cannot compete with other students from advanced communities.

I want to bring to the notice of the House that the Scheduled Castes people as a whole are very poor people. Even in the backward communities in India, we can find samindars, big business magnates and landlords, but unfortunately, in the Scheduled Castes community, except late Dr. B. R. Ambedkar, who left Rs. 5 lakhs behind him, nobody is having so much fortune. So, the community as a whole can be considered a poor community and they may be given scholarships. If it is left to open competition, I am afraid they cannot at all come forward.

In every field of activity, the Scheduled Castes are not at all coming forward. Only in the educational field and in Government services, just now they are coming up, because of the special protection and special concession given to them. In these at least, they just on the onward march In the field of business, industries and other fields, I believe they have not made any progress; I can boldly say that the progress is zero. When that is the case, I believe that this concession should be continued. As a special case, the Scheduled Castes people should be given special protection. All the students belonging to this community should be given this concession for some more time. This concession should be continued until they come on a par with the other advanced communities.

Shri Sanganna (Koraput—Reserved—Sch. Tribes): When the whole country is anxious to uplift the Harijans and adivasis, I think this resolution cannot withstand the force of such public opinion. Education is a redeeming factor in the socio-economic conditions of the adivasis and Harijans. Unless the Government at the Centre and the States give further amounts for the education of these people, they cannot be lifted up. In the absence of education, no amount of efforts will be fruitful. Unless the adivasis and Harijans are economically sound, they cannot uplift themselves to the higher plane of society.

In the tribal areas, the people are so backward that in certain regions they move about naked. People looking at them will form an impression that those people are the true specimens of the primitive and prehistoric age. When such is the position, I think education must be given to them. Education means nowadays money. Unless money is available, no amount of efforts will enable the advasi students received education in the proper way.

Besides scholarships and other things, mid-day meals are also given. Because the adivasis are so backward,

[Shri Sanganna]

m order to bring them forward into the civilised way of life, even sweetmeats and other attractive things are served at the schools When such is the position, I am under the impression that this resolution has no place I think this resolution is the outcome of a sense of frustration, envy and what not This resolution must be rejected with all the force that the House can command

In the absense of education, some other social evils are also prevalent in the adivasi community On account of their uncivilised and primitive life there was human sacrifice also The practice of human sacrifice was so much prevanlent that the British Government had to take drastic measures to control it Even now in some tribal areas there are animal sacrifices The animals are sacrificed even when they are moving and running about When that is the position, I think this resolution will be hitting a hard blow at the very root of the schemes of civilisation

When the Government of India is giving so much money for the uplift of the Adivasis and Harijans, it is only education that would help the implementation of the schemes In the absence of education, no amount of money will be able to make the people enlightened

16 hours

In the present system of Government, education plays an important part What, after all, is democracy? Democracy will thrive on persuasion, discussion and conviction Unless a man has got sufficient education and enlightenment he will not be in a position to sit across the table, discuss problems and come to any settlement If Shri Bibhuti Mishra's Resolution were accepted, all these schemes which the Government of India and the State Governments are formulating for the uplift of the Adivasis and Harijans will have to be kept in cold storage In these circumstances this Resolution cannot be accepted by the House

Moreover, unless educational facilities are forthcoming, I am afraid, the Adivasis and Harijans who are in a tight corner, will have to adopt some other means to make themselves enlightened It is a matter of personal experience that wherever these people are living by themselves in their natural way, they are most backward The moment they become Buddhists or Christians, they become enlightened The people in the NEFA area, as a matter of fact, must be living in an uncivilised way Most of them are Christians and so they are better If this Resolution is accepted, I fear, the Adivasis and Harijans will be driven to the necessity of adopting some other religion which is not quite germane to the well being of the Union of India

Education makes the people more enlightened so that they could not be exploited in any way economically In the absence of education in the Tribal areas people are so much exploited by the people of the plains Unless these Adivasis are educated, they will not be in a position to move with the other plains people and work hand in hand and shoulder to shoulder with them

Government should give not only scholarships at the present level, but increasing amounts of scholarships The condition of the people is so backward that not only have they to be enlightened educationally, they have also to be educated socially Owing to the absence of education, in the social field also their position is bad. In every way, the Resolution cannot be accepted The level of scholarship which is now being given to the Adivasis and Harijans for education must be raised to a very great extent so that they can come up to the level of the other sections of the community

श्री जांगड़े (बिलासपुर) मैं बहुत देर से माननीय सदस्यों के भाषण सुन रहा हूं। माननीय मिश्र साहब ने जो यह संकल्प यहां पेश किया है उसका उद्देश्य मैं समझ सकता

हूं। पर कहीं कहीं उद्देश्य कुछ होता है पर बाहर उसका अर्थ कुछ दूसरा ही लगा लिया जाता है। उनका उद्देश्य सच्चा होगा और तथ्यपूर्ण होगा पर देश की जनता उसे किस दृष्टिकोण से देखेगी इसको भी हमें विचार करना चाहिए ।

माननीय सदस्य का मुख्य आधार गरीबी है। पर मैं बताना चाहता हूं कि शिक्षा और गरीबी का कितना परस्पर सम्बन्ध होता है। हम सैकड़ों वर्षों से देख रहे हैं कि अनेकों जातियां बहुत गरीब हैं, इतनी गरीब कि उनको खाना तक नहीं मिलता फिर भी उनके पूर्वजों के समय से कुछ ऐसे संस्कार उनमें जमते आ रहे हैं कि विद्या के मामले में वे किसी से भी पीछे नहीं रहते चाहे वे किसी विद्यालय में पढ़े या न पढ़े। वे किसी भी समाज से शिक्षा के मामले में ऊंचे ही रहते हैं। तो मैं इस बात को सर्वथा मानने को तैयार नहीं हूं कि गरीबी विद्या के लिए आड़ होती ही है। किसी अंश में यह ठीक हो सकता है। पर सर्वथा यह ठीक नहीं है।

आपने देखा होगा कि सन् १९४७-४८ में जब केन्द्रीय सरकार ने छात्रवृत्तियां देना चालू किया, डा० अम्बेडकर के जमाने में उसके बाद में हरिजनों और आदिवासियों में बड़ी संख्या को पिछड़ी जातियों में रख दिया गया। मुझे इस विषय में मध्य प्रदेश की सरकार से बहुत लड़ना पड़ा। मैं ने इस बात का आंकड़ा तैयार किया कि केन्द्रीय सरकार द्वारा कितने लोगों को छात्रवृत्ति दी गयी। मैं ने देखा कि एक दो जातियों को ज्यादातर स्कालरशिप (छात्रवृत्ति) मिलते हैं। जिन हरिजनों और आदिवासियों को पहले शिड्यूल्ड कास्ट्स (अनुसूचित जातियां) और शिड्यूल्ड ट्राइब्स (अनुसूचित आदिम जातियां) में शामिल किया गया था आज उनमें से जिनको अन्य पिछड़ी जातियों में रख दिया गया है उनमें से किसी को स्कालरशिप नहीं मिला।

सरकार ने लाखों रुपया खर्च कर के बैकवर्ड क्लासेज कमीशन नियुक्त किया। निकट भविष्य में उसकी रिपोर्ट सदन के सामने पेश होगी और उस पर विचार किया जायेगा। इस कमीशन पर बड़े बड़े आदमी हैं। हमको देखना है कि हम उनकी रिपोर्ट (प्रतिवेदन) को क्या महत्व देने वाले हैं। यदि हर जाति और हर धर्म के लोगों को ही छात्रवृत्तियां देना था तो इस बैकवर्ड क्लासेज कमीशन (पिछड़ी जाति आयोग) को नियुक्त करने का मतलब ही क्या था। इस प्रस्ताव का उद्देश्य है वह निराधार है और मुझे कहीं भी इसकी जड़ नहीं मालूम होती।

हमारे मिश्र जी का उद्देश्य साफ होगा पर इस देश में ऐसे ही उद्देश्य वाले सब नहीं हैं। कुछ ऐसे खतरनाक लोग हैं कि जिनके उद्देश्य में बहुत लंबा चौड़ा छिपा होता है पर उसके आगे चल कर बड़े भारी संकट पैदा हो सकते हैं। इस तरह की चीजों को हमें कभी भी प्रोत्साहन नहीं देना चाहिए।

यहां पर गरीबी का मुख्य सवाल उठाया जाता है। मैं किसी जाति या धर्म या वर्ग का नाम नहीं लेना चाहता। परन्तु कुछ जातियां हैं जिनको कहीं न कहीं से सहायता मिलती है, चाहे स्वदेश से हो या विदेश से हो। गवर्नमेंट की ओर से भी उनको सहायता मिल रही है और बाहर से भी मिलती है। और जब कि ऊंची पढ़ाई के लिए जाने का प्रश्न आता है तो यही लोग ऊंची पढ़ाई के लिए भेजे जाते हैं और दूसरे लोग जिनको हम आदिवासी और हरिजन कहते हैं पिछड़े रह जाते हैं। मैं ने इस प्रश्न को कई बार इस सदन में और स्कालरशिप बोर्ड के सामने भी उठाया और स्कालरशिप बोर्ड ने माना कि सब से पहले हरिजनों और आदिवासियों को प्रधानता दी जानी चाहिए। और आदिवासियों और हरिजनों में भी जो आगे बढ़े हुए हैं उनको पीछे सहायता दी जानी चाहिए।

[श्री जाधव]

16.09 hrs

[SHRI FRANK ANTHONY in the Chair]

इस देश का ६०० करोड़ का बजट है उसमें से केवल यह बजट डेढ़ क रोड़ का है। पर इसकी इतनी नुक्ताचीनी क्यो होती है यह मेरी समझ में नहीं आता। मुझे ऐसा लगता है कि इसके भीतर कोई दूसरा मतलब होगा। मुझे तो लगता है कि यह सवाल केवल स्कालरशिप का ही सवाल नही है बल्कि इसके भीतर कोई बुनियादी चीज है और इस चीज को हमें निकालना होगा। हम इस चीज को आगे नही बढ़ने दे सकते।

हमारे भाई ने अभी कहा कि इंगलैंड में गरीबी के कारण एक आदमी के पास पोस्टकार्ड खरीदने की पैसा नही था। इस बात को लेकर वहा के सदस्यो ने ब्रिटिश पार्लियामेंट को हिला दिया था। हमारा देश तो गरीब है। ३६ करोड़ो मे से ३५ करोड के करीब गरीब हैं। आधे तो ऐसे है जिनको एक बार खाना तक नही मिलता। यहा पर एक से एक ज्यादा गरीब है। अगर स्थिति यह है कि एक आदमी के लिए भरपेट रोटी नही है तो अगर उसको हजारो आदमियो में आप बाटें तो किसी को कुछ भी नही मिलेगा। जो रुपया हरिजनो और आदिवासियो के लिए रखा गया है यदि इस को सब लोगो में बांट दिया जायेगा तो किसी की शिक्षा का स्तर नही बढ़ सकेगा।

आजकल कुछ लोग यह कहते सुने जाते हैं कि हरिजन और आदिवासी तो सरकार के दामाद हैं। पर यह चीज नही है। इस समाज की हजारो लाखो साल से उपेक्षा की गयी है। लेकिन जहा कही भी हरिजनो और आदिवासियो को सहूलियते देने का सवाल होता है उसमें हम ब्राह्मणों को भी शामिल करते हैं। राज्य सरकारो में हमने ऐसा करना शुरू किया। राज्य सरकारों ने जो हमारे लिए छात्रावास बनाये हैं उनमें हम ब्राह्मणों को रहने की अनुमति देते हैं परन्तु शायद ट्रावनकोर या एक दो राज्यों में ब्राह्मणों ने इस सुविधा का लाभ उठाया हो तो उठाया हो पर बाकी राज्यों में ब्राह्मण इन में नही आते चाहे हम उनको हरिजनों से दूना स्कालरशिप भी क्यो न दें।

यह एक छोटा सा अनुदान है। इसके अलावा राज्य सरकारें भी लोगों को सहूलियतें दे रही हैं। हमारे यहां बहुत से विशिष्ट वर्ग हैं जो सरकार से सहायता पा जाते हैं। रिफ्यूजी (शरणार्थी) भाई भी विशिष्ट वर्ग हैं, हरिजन और आदिवासी इसी वर्ग में गिने गये हैं। जो आदमी किसी ऊंची नौकरी पर होता है वह अपने जातिवालो को खीचने का प्रयत्न करता है, वह भी एक विशिष्ट वर्ग हो जाता है। तो हमें यह भी देखना है कि हमारे देश में कितने विशिष्ट वर्ग हैं। किस किस को आप हमारे इस अनुदान में शामिल करना चाहते हैं। मैं तो चाहता था कि इस विषय पर एक विस्तृत ब्योरा आपके सामने पेश करता पर समय बहुत कम है। मैं कटुता पैदा नही करना चाहता। मैं तो सामजस्य स्थापित करना चाहता हू। जो लोग समझते हैं कि केवल हरिजनो और आदिवासियो को सहायता दी जा रही है इससे दूसरो का नुकसान होता है, ऐसा नही है। हरिजन और आदिवासी हजारों साल से पिछड़े हुए हैं। अगर कुछ समय इनको विशेष सहायता मिल जायेगी तो इससे देश का लाभ ही होगा। यदि पांच वर्ष के बाद हरिजन और आदिवासी समता की दौड़ में अन्य जातियो के समान न आ सके तो फिर हमारे देश में इस समाज कल्याणकारी सरकार का होना न होना बराबर समझा जायेगा। अतः हम इन पिछड़े हुए लोगों को अवश्य मदद दें और जहां तक हो सके उनको आगे बढ़ायें।

आपको मालूम होगा कि पिछली गवर्नमेंट ने उन सब वर्गों को स्कालरशिप इस

योजना में शामिल नहीं किया था जिनकी सिफारिश बैकवर्ड क्लासेज कमीशन ने की थी। इसका कारण यह दिया गया था कि इसमें तो देश की आधी जनसंख्या आ जायेगी और आधी जनसंख्या को सरकार स्कालरशिप नहीं दे सकेगी। मैं तो चाहता हूं कि मिश्र साहब बैकवर्ड क्लासेज कमीशन की इस रिपोर्ट को ही मंजूर करवा दें तो देश का बहुत कल्याण हो जायेगा। जब वे आधी जनता का भी कल्याण नहीं करवा सकते तो समूची जनता का कल्याण कैसे करवा सकते हैं। मुझे ऐसा मालूम होता है कि किसी सेंटीमेंट मूड (भावुकता) में आकर उन्होंने यह संकल्प पेश कर दिया और अब उसके लिए पछता रहे होंगे। मुझे आशा है कि इस पछतावे के कारण वे इस प्रस्ताव को वापस ले लेंगे।

Mr Chairman: Shri Barman

Shri B K Gaikwad: On a point of information Generally speaking, the procedure which is observed in every House is that the Mover is allowed to speak first and then those who propose amendments are allowed to move the amendments and speak and explain why they have proposed the amendments Other speakers can support or oppose the amendments But here I see that those have tabled the amendments are not allowed to speak and others are allowed to speak without having heard what the movers of the amendment have to say. It would have been better if this procedure had been adopted which is followed everywhere.

Mr Chairman: Whatever the procedure may have been in other Houses, we more or less subscribe to the convention here that the amendments are taken as moved,' and merely because somebody has submitted an amendment, it does not give him any priority in the matter of catching the Speaker's eye.

Shri Barman: The resolution moved by Shri Bibhuti Mishra gave us the indication that he was for discontinuing the grant of scholarships to students community-wise, but while moving his resolution and speaking on it he has clearly stated that so far as the Constitution is concerned, he has no objection to give the scholarships or the advantages of stipends to the Scheduled Castes, Scheduled Tribes or the backward classes. Therefore, he contradicts himself again when he says that if for that purpose an amendment of the Constitution is necessary, that also should be done. Since he says that all the scholarships or advantages that are now being given to the Scheduled Tribes. Scheduled Castes and backward classes should be given and he has no objection to that, where is the necessity of amending the Constitution. From all this, the contradiction between his resolution and his statement before the House I presume that Shri Mishra's idea was to give scholarships to all poor boys who are not entitled or eligible to scholarships under the present scheme If that be so, certainly every Member of this House will give him full sympathy, provided the Minister in charge of Finance has got sympathy for his resolution.

After hearing some of the Members I thought I should say a few words. Shri B S Murthy in his speech has cast a reflection on the Hindu community I think in his exasperation arising out of many circumstances and all this past history he has said something which he did not really mean We realise we are enjoying these advantages not because the Members of the present Parliament have provided them, but because it has been provided in the Constitution itself, and that Constitution has been framed by the people of this country, the intelligentsia of this country and those who devoted their lives for the freedom fight. So, unless the country, unless the intelligentsia, unless the leaders of the country were sympathetic towards the Scheduled Castes, Scheduled tribes and the backward classes, those who are below, such a Constitution could not have been framed. And till now we have seen that so far as the finances of the country permit, the last

[Shri Barman]

Parliament and also this Parliament has granted more and more money for these people. Therefore, to make such an accusation or impute such a motive is not fair.

As regards the Mover, as I have just now said, he has some other idea, but he did not frame his resolution accordingly.

There is only one other thing I want to mention. Perhaps Members may think that in the course of these few years after independence, the Scheduled Castes, the Scheduled Tribes and the backward classes have made so much progress that perhaps there is no necessity to give this sort of scholarships to them in this liberal manner. In order to dissabuse the mind of any hon. Member who might have such a misconception, I simply read out one or two figures from the Government brochure that I hold in my hand. Prior to 1955, it was found that though the scholarships were given liberally to the Scheduled Castes and to the Scheduled Tribes, it was not possible for many of the students to get admission in the colleges, after they had matriculated, because of their proverty. A boy may be meritorious, but he cannot seek admission in a college and pay the admission fees and other things, because of this apprehension that if he does not get the scholarship, he may have to discontinue his studies. After getting the facts, the then Secretary to the Ministry, Shri Humayun Kabir writes in the preface to the third edition of '1955—*Brochure on scholarships*':

"I am glad to report that as early as in the middle of July, 1955, Government was in a position to announce that they undertook to award scholarships to all eligible Scheduled Caste and Scheduled Tribe candidates."

So, Government themselves had found that owing to the poverty of these two classes, even meritorious students did not seek admission in the colleges, unless their getting the scholarships was very sure. In the last line of the preface, Shri Humayun Kabir adds:

"This, I am sure, has helped a large number of students belonging to these classes in securing admission to institutions."

So, we find that a liberal treatment to the Scheduled Castes and Scheduled Tribes was found necessary even as late as 1955.

Today, in the year 1957, it is quite unintelligible to us how one can think of withdrawing any of the concessions that had been conceded just a year back. And what are the figures? According to the 1951 censsus, out of 36 crores of people, the Scheduled Castes formed more than 5 crores, and the Scheduled Tribes formed about 2 crores. I am not counting those who have been left out now, as has just now been stated by my hon. friend. From the number of students that got scholarship in 1955, you can realise how far they have advanced in education. I am referring to post-graduate studies, and post-matriculation studies that is, college education. In 1954-55, the total number of scholarships, that was granted to the Scheduled Castes was 25,000; out of that, 16,000 were fresh ones, and about 8,800 renewals. As regards the Scheduled Tribes, the total number was about 6,000; about 4,000 were fresh, and about 2,000 renewals. So, in the whole of India, out of a population of more than 7 crores, only about 30,000 students were there, who could get post-matriculation education. Is that any indication at all that these communities have, in the course of these few years, advanced to such a stage that there should be a change in this liberal method of granting scholarships to them? I am sure any hon. Member can say that nothing has happened or nothing has been done which can induce us to make any change in the process of giving liberal scholarships to these two classes.

As regards the backward classes, it is only the students who secure a first division, who are getting scholarships now, not all the students who are poor are given scholarships. If this can be liberalised to a greater extent, that would be better, but that depends upon the financial position.

I submit that my hon. friend, the mover of the resolution, has contradicted himself while making his speech,; he has contradicted what he has stated in his resolution. I hope he will withdraw his resolution, because he has not substantiated what he has written in his resolution, in his speech.

Shri B. K. Gaikwad: I have moved two amendments to the resolution, moved by Shri Bibhuti Mishra. I have listened to the speech of my hon. friend very carefully. When I heard his speech, I was of the opinion that he could not be the mover of this resolution, that Shri Bibhuti Mishra and the drafter of the Resolution must be two different persons. For, in his speech, he has clearly stated that he is in favour of scholarships being given to Scheduled Castes and Scheduled Tribes and to other backward classes too. He now wants the concessions to be given to other poor people in order that they might be enabled to proceed with their education. But if you read his resolution, you will find that it has the effect of taking away the concessions which are already being given to the Scheduled Castes, Scheduled Tribes and other backward classes.

That is the reason why I have moved these two amendments. After hearing the speech of my hon. friend, the mover, I feel that he can conveniently accept the amendments moved by me; if the amendments are accepted, then there will be nothing more to be said about it.

In this connection, I want to point out a few things. Every speaker has said that whatever concessions and facilities are given to the Scheduled Castes and Scheduled Tribes should be continued. I would like to draw your attention to the provisions made in the Constitution in this regard by Baba Saheb Dr. Ambedkar, namely that the Scheduled Castes and Scheduled Tribes should be given certain concessions and facilities so far as education and other things are concerned.

16. 29 hrs.

.... [SHRI BARMAN *in the Chair*]

Now, why were these provisions made in the Constitution?

There is some history behind it.

It is not only because that they were treated as untouchables and hence these concessions were given, nor because they come from the Hindu fold. The history behind it is this. According to our *puranas* and *shastras*, those who are treated as Scheduled Castes today were treated as *Atishudras or chandalas* in the past. If you refer to the *Manusmriti* and some of the *puranas* of the Hindu religion, you will find that there are certain provisions made to the effect that no *chandala* or *atishudra* should be given any education; there was no equality of any sort. Besides, they were debarred also from getting education. Owing to the short time at my disposal, I am not in a position to quote the *slokas* of the *Manusmriti*, but it is stated there that if any *atishudra* or *chandala* learns anything, his tongue should be cut. In this way, there are several other punishments given there. I do not want to mention them here.

I do not want to find fault with anybody or with any religion now. But the thing is this, that for centuries together these communities were put down. You will find that the drafter of the Constitution, Dr. Babasaheb Ambedkar, when he was receiving his secondary education, he was not allowed to learn, sanskrit, at Satara. The Shastri, the class teacher did not teach him Sanskrit only because Babasaheb had come from a Scheduled Caste family.

Even in these days you will find the same thing. If Scheduled Caste

[Shri B K. Gaikwad]

man goes in any village, the Bhataji or Brahmin priest of the village, if he has been reading some religious *puranas*, and if he sees him, will cease reading Why? Only due to the fact that the *Manu Smriti* has said that these people should not be given any kind of education What is there in these *puranas*, we know very well. This is the mentality of the people in villages

Of course, there is no complaint as regards people residing in cities But you will find that in the villages, where 80 per cent of the people are residing, their mentality is such For centuries together these communities—Scheduled Castes, Scheduled Tribes and backward classes and people living in hilly tracts—have not been cared by anybody for their uplift. That is why, in order to compensate for this, these concessions were given to them, and it was said that these concessions would continue till they come to the level of the other communities

Now, the question before us is as to whether these communities have now come up to the level of the other communities Many people say that the Scheduled Castes and Scheduled Tribes people have received concessions and many of them are educated. But you will find from the Report of the Commissioner for Scheduled Castes and Scheduled Tribes that whenever there is a question of appointing candidates belonging to these communities to Government posts, it is said that no suitable candidates from these communities are coming forth. So no posts were filled in by these candidates Why is this so? Because these communities are still backward Why are they backward? Because they have not come up to the level of the other communities

So it is the bounden duty of the Government to see that these people come up to the level of the other communities. For that, the educational facilities should be continued.

If you go through this Resolution, you will find that it says that the concessions which are given to the Scheduled Castes, Scheduled Tribes and gackward classes should be taken away and everybody should be treated on an equal footing, and hence those who come from poor communities should be awarded free studentships etc I have nothing to say if Government are in a position to provide scholarships to all those who come from poor families Of course, Government should provide it. We have got a soft corner for them We will support it But if you just read my amendment, you will find that I seek to take out that portion of the Resolution which asks Government to amend the Constitution If Government are prepared to accept the Resolution in the amended form and give scholarships to all those who come from poor communities, I have nothing to say, but the constitutional provisions in favour of the Scheduled Castes and Scheduled Tribes should not be touched That is the intention of my amendment

Since there is not much time, I will just conclude But before concluding, I will again say that this is the position and this House should reject the Resolution as it is worded But if Shri Verma accepts my amendment.

An Hon Member: Shri Mishra

Shri B. K Gaikwad: Shri Mishra from U P (*An Hon Member:* From Bihar)—I come from Maharashtra; that is why it is difficult to pronounce his name—if Shri Mishra from Bihar accepts my amendment, I will have nothing to say against it

Before I sit down, I will make one request to many friends of ours who are sitting opposite They call the Scheduled Castes people as Harijans. They were considered untouchables. If you call them Harijans, it means 'sons of God'. They are sons of God, but they were treated as untouchables So you have polluted the word 'Harijan'.

Shri Thimmaiah: Suggest a better name

Shri B. K. Gaikwad: If you want to remove untouchability, the better course is not by giving sweet names If you want to solve this problem, do not call these people by sweet names only They are treated as slaves If it is so then tell a slave he is slave and he will revolt.

Mr Chairman: The discussion began at 15-00 hours There are just about 25 minutes left

Shri Jaipal Singh: I had the impression that the Deputy-Speaker was having after thoughts about time allocation

Shri B C Kamble: We support what Shri Jaipal Singh says There should be extension of time

Mr Chairman: So I ask the House This is the position Unless the House agrees to extension of time We cannot sit beyond 17 30 hours

Shri Jaipal Singh: I move for extension of the sitting till 18 00 hours

Mr Chairman: Is that the desire of the House?

Some Hon. Members: Yes

Mr Chairman: Then it is extended upto 18 00 hours

Shri Mahanty (Dhenkanal). When will the next Resolution on the Order Paper taken up, Sir? Does it mean that that Resolution will not be taken up today?

Mr Chairman: How can it be taken up today?

Shri Mahanty: I want to know what is the position

Mr Chairman: If we continue till 18 00 hours with this Resolution, then we exhaust the whole time But if the House desires, the next Resolution can just be moved That will depend

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): This Resolution is really in charge of my colleague who, no doubt, will speak on it at the end of the debate As apparently you are extending the time, if the House so desires, naturally we have no objection to that But I thought that perhaps it might be worthwhile for me to state right at the outset what the Government's view is in regard to this Resolution

I have no doubt that the hon Member who has brought forward this Resolution meant well. But I have also no doubt that this Resolution, as it is framed, is wholly unacceptable to Government, unacceptable for a variety of reasons, because, firstly, it indirectly does touch on certain provisions of the Constitution—and it is not right to do so directly or indirectly Secondly, it does, directly or indirectly, tend to limit perhaps the special amenities or privileges—call them what you like—which have been provided in the Constitution and by other legislation for the Scheduled Castes

Now, on no account are we prepared to tamper with those provisions as they are, Whatever legislation we may bring forward for others, that is another matter We recognise fully and completely that there are many people in this country who deserve help for education or other purposes But however that may be and however that may be dealt with in other ways, we do not wish to deal with it by limiting in the slightest the degree the special amenities provided in the Constitution to the Scheduled Castes

Therefore, we are unable to accept this Resolution Indeed, I would ask the hon Member who has moved it not to press it

Shri Shree Narayan Das (Darbhanga). May I submit that it has not so far been supported in the speeches that have been made and I think there is no necessity for spending time

Mr Chairman: Hon. Members have to express their views There are so many names with me. The House has already decided to extend the time.

Shri Manay: In view of what the Prime Minister has said, please ascertain from the hon Member whether he intends to press his Resolution

Shri Supakar: If the mover withdraws, then, there will be no necessity to prolong the discussion

सभापति महोदय माननीय सदस्य की क्या मन्शा है

श्री विभूति मिश्र मैं प्रधान मन्त्री की बात को मान लेता हू।

Mr Chairman. First of all, I have to put the amendments to the House

Shri Supakar If the original Resolution itself is withdrawn?

श्री विभूति मिश्र चेयरमैन साहब मुझ जवाब दन क लिए पाच मिनट मिलन चाहए ।

Mr Chairman: According to our Rules, when amendments have been moved they have to be put to the House before the main resolution is put

An Hon Member Has leave of the House been given to withdraw the resolution?

Mr Chairman: We are ascertaining the wishes of the House

Shri B C. Kamble So far as the amendments are concerned, those who have tabled them had not the opportunity to say anything Therefore if their amendments are put to the vote, they will be put before their points of view are placed before the House

Mr. Chairman. It is not possible that every hon Member who has tabled an amendment could be given time to speak on it That is not possible.

Shri B C Kamble. Can there be putting of an amendment to the vote which has not been discussed?

Mr. Chairman: If the hon. Member does not want to press his amendment he can ask the permission of the House to withdraw it Now, I will put all the amendments to the Resolution

Shri Naushir Bharucha (East Khandesh) My submission is that the procedure should be as laid down in Rule 180(2)

> "A member who has moved a resolution of amendment to a resolution shall not withdraw the same except by leave of the House"

I take it, Sir, that the intention of *the Mover is to withdraw the resolution* That has to be put to the House

Mr Chairman It is for the mover of the amendment to say

Shri Naushir Bharucha: As the Mover of the Resolution he has to say

Shri B K. Gaikwad: Unless and until we know what is in the mind of the Mover of the resolution, how can we withdraw our amendments?

Shri Jawaharlal Nehru The position is this The mover has said that he wishes to withdraw his resolution The wishes of the House may be ascertained If the resolution goes, the amendments also go

Shrimati Renu Chakravartty (Basirhat) According to our Rules, there is a peculiar position Our Rule clearly says that with the consent of the House any motion can be withdrawn but there is a proviso.

> 'Provided that if an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of"

Shri Naushir Bharucha: That relates to motions only and not to resolutions

Mr. Chairman: Order, order.

Shri K. U. Parmar: (Ahmedabad—Reserved—Sch Castes): Why should we bar the people who have moved amendments to withdraw them if it is their intention?

Mr. Chairman: Anyhow I will put all the amendments that have been moved

Shri Thimmaiah: Sir, some of us are withdrawing our amendments

Shri B. K. Gaikwad: If the mover is going to withdraw his resolution we may withdraw our amendments

Mr. Chairman: Order, order, I propose this course

Shri Jaipal Singh: Let the mover of the resolution just have 5 minutes for his say He has asked for it After all this criticism let him have his say After that those who have moved the amendments may withdraw them

Mr. Chairman: Order, order I am not going to allow further discussion I will ask Shri Mishra to make his reply

Shri Jaipal Singh. Before he rises to have his say, I want to say something which is very relevant to the position which has been created The mover of the amendment has just now tried to convey that if he gets an assurance from the hon Member from Bagaha that he would withdraw his resolution, he would withdraw his amendment That is material That changes the situation altogether

Mr. Chairman. Is that the view of the hon Member Shri Gaikwad?

Shri B. K. Gaikwad: Yes, that is what I have said just now

Shri B. C. Kamble. In one single sentence my submission is that the mover of the resolution may make a formal motion to withdraw it

Mr. Chairman. That he is doing

श्री विभूति मिश्र : चेयरमैन साहब, बहुत से भाइयो ने कहा है कि बडी जाति के लोगो ने हमे कोई सुविधा नही दी है । बैकवर्ड क्लासिस की रिपोर्ट के वाल्यूम १ मे लिखा है —

> "It would be well if the Backward Classes remember that whatever good they find in the Constitution and the liberal policy of our Government is the result of the awakening we find in the upper classes themselves Whatever the Government is doing is readily accepted by them and by the nation as a whole Let it not be forgotten that the upper classes have contributed their share in formulating the policy of the Government in removing untouchability, equality and social justice Whatever concessions the Backward Classes and others demand find a place in the Constitution without a single dissentient voice from the upper classes"

जहा तक इस आक्षेप का ताल्लुक है, खुद बैकवर्ड क्लासिस की रिपोर्ट मे इस बात को साबित किया गया है कि अपर क्लासिस के लोगो ने सब सुविधाये प्रदान की हैं ।

इसके अलावा मैं एक बात और कहना चाहता हू । जब कोई आदमी किसी सुविधा का भोग करने लग जाता है तो उसके लिए उस सुविधा का त्याग करना जरा मुश्किल हो जाता है और इसमे उसे कुछ दिक्कत होती है । मैंने यह कभी नही कहा कि शैड्यूल्ड कास्ट्स को या शैड्यूल्ड ट्राइब्स को छात्र-वृत्तिया न मिले । लेकिन मैं चाहता हूं कि उन लोगो को भी मिलनी चाहियें जिन का कि जिक्र नही किया गया है और जो निर्धन हैं, जो पढना चाहते हैं लेकिन पैसे के अभाव मे पढ नही सकते हैं । अगर एक शैड्यूल्ड कास्ट का भाई सौ रुपया पाता है और ऊची जाति वाला भी सौ रुपया पाता है तो क्या वजह है कि शैड्यूल्ड कास्ट के भाई को छात्रवृत्ति मिल जाए और दूसरे को न मिले । शैड्यूल्ड कास्ट वाले को तो इस वास्ते छात्रवृत्ति मिल जाती है कि वह बैकवर्ड क्लास को बिलांग करता है जबकि दूसरी जाति वाले को इसलिए नही

[श्री विभूति मिश्र]

मिलती है कि वह उस जाति को विलांग नहीं करता है। मैं चाहता था कि दोनों को स्कालरशिप की बराबर सुविधा होनी चाहिए क्योंकि स्कालरशिप इकोनोमिक ग्राउंड पर मिलता है। उस आदमी को जोकि पढ़ना चाहता लेकिन पैसे के अभाव में, गरीबी के कारण पढ़ नहीं पाता है पीछे रह जाना पड़ता जबकि दूसरे आगे निकल जाते हैं।

Shri Manay: On a point of order, Sir. The hon. Member is trying to justify his resolution. He was given an opportunity to withdraw the resolution whereas he is replying to the debate.

श्री विभूति मिश्र : बहुत से भाइयों ने कहा है कि प्रस्तावकर्ता का कुछ और ही मकसद दिखाई देता है। मैं आपको बतलाना चाहता हूं कि जाकि रही भावना जैसी प्रभु मूर्ति देखी तिन तैसी। जिसकी जैसी भावना होगी, वैसी ही बात उसको दिखाई पड़ेगी। मैं कभी यह नहीं चाहता कि शैड्यूल्ड कास्ट के भाइयों को या दूसरों को जो सहूलियतें दी जा रही हैं उनको वापिस ले लिया जाए।

एक भाई ने जिनका मैं नाम नहीं जानता हूं उन्होंने ५०० रुपये का जिक्र किया है। मैं इसके बारे में कुछ न कह कर इतना ही कहना चाहूंगा कि सभी भाई यह चाहते हैं कि हरिजन भाइयों का कल्याण होना चाहिए और कोई भी इस प्वाइंट को डिसप्यूट नहीं करता है।

मैं प्रधान मंत्री जी की बात को मानते हुए अपने प्रस्ताव को वापिस लेता हूं।

Shri B. K. Gaikwad: Sir, I withdraw my amendments.

Shri Thimmaiah: I also withdraw my amendment.

Shri B. C. Kamble: I also withdraw my amendments.

Mr. Chairman: Have the hon. Members leave of the House to withdraw their amendments?

The amendments were, by leave, withdrawn.

Mr. Chairman: Now, has the hon. Mover leave of the House to withdraw his Resolution?

The Resolution was, by leave, withdrawn.

An Hon. Member: Will the House sit till 6 P.M. today?

Mr. Chairman: There is no necessity now; we will conclude at 5-30. Now, we will take up the next item.

RESOLUTION RE: APPOINTMENT OF A COMMITTEE TO EXAMINE THE REGIONAL DISPARITY IN AVERAGE *PER CAPITA* INCOME

Shri Mahanty (Dhenkanal): Sir, I beg to move:

> "This House is of opinion that a Committee of experts be appointed to study and investigate into the regional disparity in the Indian Union in the average *per capita* income and in the stages of development, and to recommend ways and means for bringing up the regions that lag behind to the standard of other advanced regions."

This Resolution is so urgent in its implication and so innocuous in its intentions that the House will need very little persuasion on my part to accept it. It suggests the appointment of a committee of experts to study the existing pattern of regional disparity in the Indian Union and suggest ways and means for bringing up the States that lag far behind, to the level of other advanced States.

I can well anticipate the critics to point out that the Planning Commission and the Government are no less concerned about this problem, and that the Planning Commission in their Second Plan had considered the matter at some length and also the matter was considered in the National Development Council from time to

time. We will perhaps be told that this is a continuing process and therefore the Resolution need not be considered at this stage.

In spite of that, if I am moving this Resolution it is only because of the fact that the Planning Commission had diagnosed the disease but prescribed no remedy. The Commission merely touched the fringe of the problem. The Commission have said in chapter 2 on page 37 of their report on the Second Plan, that greater attention should be given to this problem in the Plans to come. In the First Plan this matter was not considered at all. In the Second Plan, the under-developed areas have merely been assured that their case will be considered in the Plans to come. Moreover the Planning Commission have considered this matter in a vicious circle. There can be no doubt or controversy as the Planning Commission has observed that the solution of this problem has to depend upon the availability of resources. As developed States are mere accidents more and more resources are available the benefits of investment will flow into these under-developed areas. But the fact has to be borne in mind that as the development goes on expanding the disparity goes on widening.

I will substantiate what I have stated just now with facts and figures from the review of the First Plan a report on which was circulated to us. Before I do that, I want to invite the attention of the House to the fact, that the under-developed or developed States are mere accidents of history. It is a well-known fact that the British developed India as a colony for their own commercial purpose. The British had their commercial centres and built their factories in three coastal towns in Calcutta around Fort Williams, in Madras around Fort Saint George and the Bombay around Fort St. George. The entire attention of the British Empire was concentrated on these three port towns and the rest of India was exploited as a hinterland for the prosperity of these three towns. It pains me to find that the same pattern still continues even today.

16.58 hrs.

[MR. SPEAKER in the Chair]

It will be evident if you look at the history of the Indian railways. In the late nineties of the 19th century for military reasons it was considered necessary to link up Calcutta and Madras by a railway. That is how a skeleton railway line passes through the coastal strip of Orissa. Since then not a single mile of railway track was added to the railways there. It is so about Assam. When we come to Madhya Pradesh, another huge sprawling area with mountains and forests, not a single mile has been added. Yet, during the discussion on the Railway Budget, the Railway Minister spoke of electrification of the railways in certain sectors. While in these areas people are grouping in darkness and are suffering a great deal for lack of communications, no railway lines are opened, yet, electrification of railways is taken up in certain particular sectors, served by a net-work of railways.

17 hrs.

What I was just saying was that the developed States and under-developed States of the Indian Union were mere accidents of Indian history. It has to be remembered that planning does not mean abject surrender to certain blind, socio-political forces. Planning means controlling these force for the balanced development of a country effectively.

But the Planning Commission do not seem to have appreciated that fact? We find that the targets of the First Five Year Plan were formulated on one basis, namely, the capacity of the State Governments to bear the strain and stress of developmental expenditures. If the Commission had in view this question of regional disparity then, certainly, some other standard should have been evolved, and this basis of formulating targets according to the capacity of State Governments to pay would have been rejected.

[Shri Mahanty]

In the First Five Year Plan we find that central assistance to the under-developed States has been the minimum I will quote some figures to substantiate this West Bengal received central assistance from the Government of India to the tune of Rs 26 5 crores Bombay, another prosperous State, received central assistance to the extent of Rs 16 crores Madras received central assistance to the extent of Rs 19 4 crores When we come to Orissa it goes down to Rs 10 crores. When we come to Travancore-Cochin, where probably the pressure of population of land is the highest and poverty is also bitterest, central assistance was to the extent of only Rs 7 crores To Rajasthan, another huge under-developed State, it amounted to Rs 9 crores

I am not considering for the moment the capacity of the State Governments to bear the developmental expenses out of their current revenues I am considering only the extent of central assistance which has been rendered to the various States of the Indian Union during the First Five Year Plan I would like to know, and the under-developed States of the Indian Union also expect to be told, on what objective basis Quantum of these contributions were determined, and why the under-developed States received much less than what the highly developed States received

It will also be found from the budgetary position of the States which I have just named—Bombay, Madras and West Bengal—than they were able to mobilise substantial resource out of their own current revenue, for the execution of the First Five Year Plan, whereas States like Orissa, Assam and others could not even find the means to carry on their day-to-day administration

Therefore, in the face of all these, we would like to be told,—if the Government is not paying only lip-sympathy to the concepts of removal of regional disparity,—why States like Bombay, Madras and West Bengal received Central assistance much more, than the under-developed States like Orissa, Kerala, Saurashtra, Rajasthan and others

As a result of this imbalance, we find that *per capita* expenditure under the First Five Year Plan was the highest in States like Bombay and West Bengal, while it was the lowest in States like Orissa I have not got the figures for Kerala, Madhya Pradesh and Assam, I have got the figures here only for Bombay, West Bengal, Madras and Orissa The *per capita* expenditure under the First Five Year Plan in the State of Bombay was Rs 44 8, in West Bengal it was Rs 31 3, in Madras it was Rs 25 and in Orissa it was only 13 1 Therefore as the development goes on expanding this regional disparity, also goes on expanding

Therefore, even if after 20 years the national *per capita* income would be doubled, we would have been confronted with a situation where in some States the *per capita* income would be double whereas other States would be lagging behind the national average in the matter of *per capita* income If it is not the intention of the House that in a socialistic India certain sections of the people

Shri Naushir Bharucha (East Khandesh) Sir, may I point out that there is no quorum in the House?

Mr. Speaker: Therefore, we will have to adjourn is it so? The bell is being rung—Now there is quorum The hon Member, Shri Mahanty, may continue

Shri Mahanty. Sir, before I was, unfortunately, interrupted by the irresponsibility of the Treasury Benches, I was trying to point out to the House

Mr Speaker: Hon Members also, whoever tables a resolution, should get their friends here

Shri B. K. Gaikwad (Nasik): His friends are with him

Shri Mahanty: It is the responsibility of the Treasury Benches to maintain quorum; it is not my business to collect my friends to listen to me; it is not a mutual admiration society; Sir.

What I was trying to submit is, as the development expenditure goes on expanding the regional disparity also goes on widening. I tried to substantiate that by quoting some figures of *per capita* expenditure under the First Five Year Plan.

It is said that the national *per capita* income is Rs. 281 in the Indian Union in the beginning of the Second Five Year Plan. But there are States like West Bengal where it has been recently calculated that the *per capita* income is of the order of Rs. 350. I do not know what the figure for Bombay is. I do recognise that there are some States where the *per capita* income is higher than the national average, but there are others like Orissa where the *per capita* income is below Rs. 100.

It is no surprise when I say that the *per capita* income in Orissa is less than Rs. 100. It is because of the fact that 85 per cent of the people in Orissa have to depend on agriculture. Even though the First Five Year Plan is over and one year of the Second Five Year Plan has also been completed, the occupational structure in Orissa, has undergone no appreciable change to bring away persons on the land to the secondary or tertiary sectors of our economy. As days, months and years roll on more and more people become dependent on lands where the law of diminishing returns has started its operation. Therefore, there can be very little controversy about the fact that the *per capita* income in States like Orissa and Assam is much below the national average of *per capita* income. It is in this context, I said that, the Planning Commission had approached the subject in a vicious circle.

When we come to the impact of all these in the execution of the Plan, what do we find? I will quote some figures which I have tried to calculate from the *Review of the First Five Year Plan* which has been circulated to us. I shall give the figures only for Bombay, West Bengal, Madras and Orissa. In some cases, the figures for Bihar also will be given. Now, let us take the case of agriculture. It is known that there are some States which are predominantly agricultural States and other States which are predominantly industrial States. The industrial States like West Bengal or Bombay are constantly in food deficit. The agricultural States like Orissa or Madhya Pradesh have to supply foodgrains to those industrial States at a cheap price, where the people enjoy a much higher *per capita* income. Therefore, in the interests of social justice and economic justice as well, it has to be seen that there has to be a parity in the income between the people of those industrial States with a higher *per capita* income and the people of the agricultural States with a lower *per capita* income.

It has also to be seen that political equity demands that there should be a parity in the development of these industrial States and the agricultural States. What pattern has emerged out of the first Five Year Plan? I will give you the figures for agriculture. Bombay has spent during the first Five Year Plan Rs. 1,361 6 lakhs. For Madras, it is Rs. 654.6 lakhs, whereas for Orissa it is Rs. 97.1 lakhs. Yet Orissa has been considered not rightly though, not only in the course of the post-election period but during the post-Independence period also, as the granary of India. Whenever there has been famine, the peasants and the farmers of Orissa have been asked to starve and to give away their grains and their rice to the rest of India at a price which is even much below the market price that is ruling in India today.

I am speaking in no spirit of frustration. I am making no grievance, but the fact has to be remembered that even though Andhra is not releasing its rice stocks to Kerala, the Government of India have purchased the entire rice of Orissa at a price

[Shri Mahanty]

which has created resentment to a section of the people. In spite of all this, what have we gained? Three-fourths of Orissa is thirsting to-day for lack of irrigation facilities. We should have spent more on agricultural States like Orissa, so that they might have been enabled to produce more, not in their own parochial interests but in the national interests of India. We have spent only Rs. 97 lakhs for Orissa whereas for Bombay we have spent Rs. 1,361.6 lakhs in the matter of agriculture.

When we take co-operation, we find that in Bombay, we spent Rs. 74.3 lakhs; for Bihar, it was Rs. 27·1 lakhs; for Orissa it was only 2·8 lakhs.

For rural development, for a highly industrialised State like Bombay we spent Rs. 58·3 lakhs; in Bihar we spent Rs. 79·3 lakhs; for Madras, it was Rs. 34 lakhs. For Orissa, we spent nil. At least that is the figure given in the review of the first Five Year Plan. I doubt that. It cannot be nil. Something must have been spent. But it has been shown as nil

For local development works, for Bombay, the figure is Rs. 196 lakhs; for Bihar it is Rs. 153 lakhs; for Madras, it is Rs. 335 lakhs; for Orissa, it is Rs. 99 lakhs. These agricultural States should have been given greater facilities not for big irrigation projects only but for small and minor irrigation projects so that these States would have been able to produce more and that too not in their own interests but in the interests of the entire Indian Union. But then what did our Planning Commission do? The expenditure which was earmarked for these two predominantly agricultural States, Orissa and Madhya Pradesh, was much less than what was allotted to West Bengal or Bombay. The expenditure which was incurred for Bombay was Rs. 1,645·2 lakhs; for West Bengal, it was Rs. 1,045·5 lakhs; for Madras, it was Rs. 1,494:9 lakhs; for Orissa it was only Rs. 196:8 lakhs.

Then I take up village and small-scale industries. When we come to this item, I do not lay much store by these village and small-scale industries. They are not going to solve the problem or change our occupational structure very much. The problem is now to mechanise and improve the technology in the village and small scale industries, in which sector a large number of people are depending on prehistoric modes of production. We naturally would expect that, some attention should have been paid to States where there have been no large-scale industries. But the Planning Commission, in their wisdom, decreed otherwise.

For village and small-scale industries, Bombay State which, according to the report of small-scale industries corporation, is one of the highly industrial States of India, where there is the greatest concentration of small scale industries received Rs. 46.7 lakhs whereas for Orissa it was Rs. 21.3 lakhs; for West Bengal it was Rs. 48.9 lakhs—another highly industrial State. For Madras, it was Rs. 48 lakhs and for Bihar it was Rs. 28.1 lakhs. Similar is the case with regard to education, public health etc.

What I am trying to bring out by quoting these figures at length is that the first Five Year Plan was conceived with no long-term socio-political objective. It was just a catalogue of some programmes which were packed together. In formulating various priorities and the targets, no attention was paid to the question of underdeveloped States. In the Second Five Year Plan, even though the Planning Commission accept that the regional disparity is there and that pattern must change, they have not touched even the fringe of that problem. They have merely diagnosed the disease, but have prescribed no remedy. Therefore, I have suggested that a committee must be appointed to investigate this question.

This is not a question for politicians like us, or Ministers or Secretaries or

for the bureaucrats It is a question to be studied in its technological aspects For instance, we cannot remove this regional disparity until we change the occupational structure In countries like the United States of America, it has taken them about 30 years to bring about any change in the occupational structure In Japan, Germany and other countries, it has taken about 20 to 30 years to change the occupational structure there So, unless we change the occupational structure we cannot remove the regional disparity prevalent in our country today

For instance in India, more than 80 per cent of people are dependent on agriculture This has brought another problem in its wake Is it being suggested that these agriculturists, who are depending on agriculture, will be hewers of wood and drawers of water? How many times is the difference between what a village farm worker gets and the income received by a factory worker? Our philosophers have consoled us by the concept of fate Similarly, the leaders of Government have consoled us by saying that agriculture is a way of life, and therefore agriculture cannot be compared with industry The way of life is to put up with starvation, the way of life is to put up with all kinds of privations, the way of life is to burn in the implacable fire of human desperation That is not the right approach Because, planning does not mean abject surrender to the existing conditions which are outmoded and antiquated Planning means taking control of these factors and directing all effort towards an overall balanced development of the country, and society We find that 80 per cent of the people are dependent on agriculture This kind of concentration on agriculture, you will find only in certain States like Orissa, Assam and Madhya Pradesh Unless the occupational pattern is changed, it is moonshine to talk of removing the regional disparity

But the Planning Commission have said on page 37 that this question will receive attention in the Plans to come. It has been stated that

> 'These considerations have been kept in mind while formulating the second five year plan, but they are certain to claim even greater attention in the plans to come"

But no attention has been paid to this problem in the Second Plan If any attention had been paid to this, if the Planning Commission had recommended any tangible remedy, probably, I would not have tired the House with this Resolution But in the absence of it, what this House is going to promise to the under-developed States? Are these States to be left in the existing condition, to bear the burdens of inflation, deficit financing and all that, and suffer from the further extension of regional disparity? No

The hon Minister will excuse me, I question the very *bona fides* of the Government so far as their intention for removing regional disparity is concerned Let me take the case of the oil refinery in Assam In the Second Plan on page 37 it has been stated

> 'Secondly it has been suggested that in the location of new enterprises whether public or private, consideration should be given to the need for developing a balanced economy for different parts of the country"

Therefore, the location of new enterprises in the public sector should be guided by one consideration and one consideration alone and that should be to bring up the underdeveloped States on a par with the other developed States There may be other considerations as well But, this should be the overriding consideration What do we find in the case of the oil refinery in Assam? The Government has maintained an attitude which does not encourage us, those who come from the underdeveloped States, to hope for any better future under the existing state of affairs It pains me to say that

[Shri Mahanty]

such matters have been caught up in overall political questions that are prevalent in the country.

I have, therefore, suggested that a committee of experts be appointed to suggest ways and means for removing this regional disparity This morning, I was surprised to see in the Press that the Congress Party, without hearing me, has decided to hang me They have decided to oppose this Resolution as if some one is asking for the moon through this Resolution We are not asking for the moon We are merely suggesting to appoint a committee of experts, of those who have a grasp on the subject, of those who have experience of this problem, to study, investigate and suggest ways and means I believe in all humility, that this Resolution which is so innocuous in its intention and which is so urgent in its implication, will commend itself to all sections of the House and will be passed

Mr Speaker· Resolution moved

> "This House is of opinion that a Committee of experts be appointed to study and investigate into the regional disparity in the Indian Union in the average *per capita* income, and in the stages of development, and to recommend ways and means for bringing up the regions that lag behind to the standard of other advanced regions"

Dr. K. B. Menon (Badagara) Mr Speaker, I thank the Mover of the Resolution for bringing a problem which is so vital and important, to the fore and giving this House an opportunity to express its opinion

The problem of the States has been haunting us for some time Even during the British days we had been complaining about the disparity between the States in various ways, and we had been saying that that was due to the fact that the States were allowed to grow up without any guidance whatsoever.

After we gained independence, the problem again came up, and the issue was forced by Andhra After that the Prime Minister was driven to the logical necessity of appointing a States Reorganisation Commission, and on the basis of the report of that Commission, the country has now been reorganised on a linguistic basis

If I am asked my personal opinion, I would say that the regrouping of States on a linguistic basis has not solved any problems. From this particular point of view of the resolution, it has only emphasized one aspect of the problem, I am speaking from my personal experience of my own State, Kerala

The regrouping of State on a linguistic basis has shelved Kerala to the position of the smallest State in the Union There was Vidarbha, but it has now been absorded in Bombay State Kerala with her heavy population of over 14 millions is now huddled up in 14,000 and odd square miles She is now confronted with the problem of living space, apart from the other numerous problems that she is facing and will have to face

There is the problem of unemployment, chronic unemployment because of the fact that industries have not been developed in that State Kerala has been fortunate from the point of view of literacy. In the past therefore the children of Kerala could go abroad and take appointments in various parts of India, but that position also is going to be difficult because the States are divided on the basis of language Each State is going to build up a *cordon sanitaire* around her, and those who are not proficient in the language of the State are not going to get appointments. That means, the people of Kerala who have been going outside or seeking employment outside will be driven back home without employment elsewhere.

Kerala then is going to face the serious problem of earning a living. Even as it is, income of Kerala as compared to the income of other States is very low. If we draw a graph, we will get a steep gradient graph from the income point of view from Northern India to the South. Even if it be an income graph for the South alone, Kerala, I think, will be at the bottom. The *per capita* income of Kerala is only half of that of Tamil Nad or Andhra.

Of the States as regrouped by the States Reorganisation Commission, I feel that the only States that is sound economically is Andhra. Tamil Nad may become, but it will be difficult for her because of her smallness in size. This disparity in income is only a consequence. I take it to be only the result of other factors, and when we are talking of disparity between States, we should also take into consideration the political repercussions of this disparity.

When we have small and large States in the Union, the citizens of the smaller States are driven to the position of inferior citizenship. After all, democracy means counting of heads, and in a House of 505, how can the voice of Kerala which has only 18 Members be heard unless those 18 cry at the top of their voice?

Apart from this, there are other political repercussions which are very serious.

Perhaps, it may be out of the scope of the resolution, if I were to deal with that aspect of the problem. I would say that in a Union, unless the States are all of equal size, the political reactions and the political results from it are not going to be very favourable. Take, for instance, the case of the Union of the United States or the Soviet Union.

In the United States, for example, there are small States like Maryland, as compared to big States like Texas or California. But to balance the discrepancy of political rights in the States, there is the Senate which has two representatives from each State irrespective of the population.

Mr. Speaker: The hon. Member may continue his speech on the next day.

17-31 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, the 3rd August, 1957.

COLUMNS

ORAL ANSWERS TO QUESTIONS . . . 6515—46

S.Q. No. Subject

570 Metalic Alloy and Stainless Steel 6515—18
571 Coal Deposits 6519-20
572 Unauthorised structures on Government lands 6520—22
573 Air Force Officers 6522—25
575 Advisory Committee for Income Tax Commissioners 6525—27
576 Loans 6527—31
577 Credit from Soviet Union 6532—35
578 Indian Writers' Delegation to China 6535—37
579 Brass Two-anna coins 6537—40
580 Hindi Movement in the Punjab 6540—43
581 Central Sales Tax Act 6543—44
582 Sugar . 6545-46

WRITTEN ANSWERS TO QUESTIONS 6546—71

S.Q. No.

574 Durgapur Steel Plant 6546-47
583 European Common Market Scheme 6547
584 Bharat Darshan Yatra' 6547-48
585 India's Sterling Assets 6548
586 Marine Steel Industry 6548-49
587 India's Flora and Fauna 6549
588 Foreign Sweepstakes and Lotteries 6549-50
589 Mineral Production 6550
590 Centre for I. A. S. Examination 6550
591 Foreign Naval Personnel under Training 6550-51
592 Team on the working of Community Projects 6551
593 Secondary Education in Union Territories 6552
594 Bauxite Deposits in Kolhapur District 6552-53
595 Wagon allotments to Collieries 6553
596 Indian School of Mining and Applied Geology 6553-54
597 Sarva Seva Sangh 6554-55
598 Free and Compulsory Education 6555
599 Retirement Age Limit 6556
600 All-India Council for Elementary Education 6556
601 "Vishwabharati" 6557
602 Increase in the price of coal 6557-58
603 Aircraft Carrier 6558
604 State Homes and District Shelters 6558-59
605 Coal-bearing areas 6559
606 Technical assistance from Finland 6559-60

COLUMNS

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.

443 Central Scholarships to U.P. Students 6560
444 Tour expenditures on Ministers 6560-61
445 Life Insurance Corporation 6561
446 Development of Laccadive Islands 6561-62
447 High Power Coal Council 6562
448 Zonal Councils 6562
449 Ex-Servicemen's Post-war Reconstruction Fund 6562-63
450 Sarnath 6563
451 Soft drinks centres in Delhi 6563-64
452 Delhi Police 6564
453 Sahitya Akademi 6564
454 Museums in States 6564-65
455 All India Service Officers' History 6565
456 Enquiry into the death of Dr Ambedkar 6565-66
457 Government employees of Tripura 6566
458 Umakanta Academy High School Boarding House, Agartala 6566-67
459 Army and Air Force Canteens 6567
460 Political sufferers in Manipur 6567
461 Movement of Coal 6568
462 Tour Programmes of Ministers 6568
463 Assistance to Scientists 6568
464 Pasture land at Ujjain 6569
465 Madras High Court 6569-70
466 Class III employees 6570-71
467 Allotment of Cement and Steel to Collieries 6571

PAPERS LAID ON THE TABLE 6571-72

The following papers were laid on the Table

(1) A copy of the Hyderabad State bank (Compensation) Rules, 1956, published in the Notification No S R O 2274, dated the 4th October, 1956

(2) A copy of the statement containing further information on the Supplementaries to Starred Question No 134, answered on the 18th July, 1957

COLUMNS

REPORT OF BUSINESS ADVISORY COMMITTEE PRESENTED 6572

Fifth Report was presented.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE 6572—74

Shri Tangamani called the attention of the Minister of Railways to the explosion of a Railway wagon at Asansol Railway station on the 31st July, 1957 The Minister of Railways (Shri Jagjivan Ram) made a statement in regard thereto

DEMANDS FOR GRANTS 6574—6655

Discussion on Demands for Grants in respect of the Ministry of Law commenced The Demands were voted in full Discussion on Demands for Grants in respect of the Ministry of Transport and Communications commenced The discussion was not concluded

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED 6655

Third Report was adopted

COLUMNS

PRIVATE MEMBER'S RESOLUTION WITHDRAWN 6656—6702

Shri Bibhuti Mishra moved a resolution regarding discontinuance of the grant of scholarships to students on community basis After discussion the resolution was withdrawn by leave of Lok Sabha

PRIVATE MEMBERS RESOLUTION UNDER CONSIDERATION 6702—16

Shri Mahanty moved a resolution regarding appointment of a committee to examine the regional disparity in average *per capita* income The discussion was not concluded

AGENDA FOR SATURDAY, 3rd AUGUST, 1957—

Further discussion on the Demands for Grants in respect of the Ministry of Transport and Communications and discussion on the motion for adjournment regarding sweepers' strike and police firing in New Delhi on the 31st July, 1957.